NEVADA COUNTY BOARD OF EDUCATION
Regular Meeting
Wednesday, May 12, 2021
2:00 p.m. Budget Workshop; 3:00 p.m. Board of Education Meeting

The Nevada County Board of Education
will hold the regular board meeting via teleconference.
The public portion will begin virtually at 3:00 p.m. on Zoom online.

To join the Zoom meeting, please visit https://zoom.us/j/97878199838
Meeting ID: 978 7819 9838 One tap mobile +16699006833,,97878199838# US (San Jose)

ANNOUNCEMENT No. 1: This meeting is being held pursuant to the procedures established in Executive Order N-29-20 issued by the Governor on March 17, 2020. All board members may attend the meeting by teleconference. The public may observe and address the meeting via Zoom.

ANNOUNCEMENT No. 2: The public will have access to the Nevada County Board of Education meeting through Zoom Teleconferencing. For those individuals who wish to make a public comment, please do so through the Zoom meeting chat feature. A moderator for the meeting will read your comments for the record.

ANNOUNCEMENT No. 3: Should this Board meeting encounter any security breech or inappropriate issues, the meeting will be ended immediately.

All times are approximate

AGENDA

1. Meeting called to order
2. Establish quorum
3. Budget workshop
4. Salute to the flag
5. Adoption of the Agenda
6. 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.
7. Close public forum
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 April 14, 2021 (page 1)
9. Superintendent's Report
10. Staff Reports
   A. Alternative Education, Amy Brooks
      i. Earle Jamieson LCAP Progress Monitoring Data (page 4)
   B. Educational Services, Teena Corker
C. Business Services, Darlene Waddle
D. SELPA/Special Education, Eli Gallup

11. Action Items

   A. Shall the Nevada County Board of Education approve the Sugarloaf Mtn. Juvenile Hall Program Surplus list? (page 9)
   B. Shall the Nevada County Board of Education approve the Expanded Learning Opportunities Grant Plan? (page 11)
   C. Shall the Nevada County Board of Education approve the Certification of Supervisors of Attendance? (page 18)

12. Information/Discussion Items

   A. First Reading – Board Bylaws 9000 Series (page 24)
   B. Treasury Report from Nevada County Treasurer and Tax Collector detailing the portfolio of investments for NCSOS as of March 31, 2021 (page 138)
   C. Third Quarter Williams Review Report FY 2020-21 (page 176)

13. Board Reports

   A. Legislative, Julie Baker
   B. Charter Liaison, Timothy May and Louise Johnson
   C. Individual Board Reports

14. Adjournment

Next Meeting Date: June 9, 2021 3:00 PM

This agenda was posted at least 72 hours in advance of the meeting at the Nevada County Superintendent of Schools office, 380 Crown Point Circle, Grass Valley; EJ, 112 Nevada City Highway, Nevada City; and TKM FRC, 400 Hoover, Nevada City.

Posted: 5.7.2021

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 – located at 380 Crown Point Circle, Grass Valley, California by appointment only during COVID-19. 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 or participate in this meeting, please 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
Regular Meeting
Wednesday, April 14, 2021
3:00 p.m.
Nevada County Superintendent of Schools

The Nevada County Board of Education will hold the regular board meeting via teleconference. The public portion will begin virtually no earlier than 3:00 p.m.

To join the Zoom meeting, please visit https://zoom.us/j/92732695265

Meeting ID: 927 3269 5265
One tap mobile +16699006833,,92732695265# US (San Jose)
Dial by your location +1 669 900 6833 US (San Jose)

M I N U T E S

1. Meeting called to order by Board President Nicolai.

2. Established quorum
   Heino Nicolai present
   Louise Johnson present
   Susan Clarabut present
   Timothy May present
   Julie Baker present – Arrived at Agenda Item 9.A.

3. Salute to the flag

4. Adoption of the Agenda
   On a motion by May and seconded by Clarabut, the Nevada County Board of Education adopted the April 14, 2021 Agenda; all in favor; motion passed (Ayes – Clarabut, Johnson, May, Nicolai; Absent – Baker).

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

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 March 10, 2021 (page 1)
   B. During the third quarter of 2021 January-March, there were no complaints filed to be reported, pursuant to Williams Uniform Complaint Procedures (E.C. 1240(H): Board Policy 1312.3 – Uniform Complaint Procedures) (page 5)
   On a motion by Johnson and seconded by May, the consent agenda was approved as presented; motion passed (Ayes – Clarabut, Johnson, May, Nicolai; Absent – Baker).

8. Superintendent's Report
Supt. Lay reported that five districts are holding in-person learning 5 days a week; two districts are on a pre-pandemic schedule; other districts, YRC and NCSA are holding in-person learning 4 days a week.

Nevada County schools are looking to have full schedules in the fall, following Public Health protocols.

A staffing position housed at NCSOS and funded by the Nevada County Health Department has been created. This person will work as a direct conduit for schools helping with outbreaks; presumptive cases; and contact tracing. The goal is to keep kids in class and staff in their positions safely.

Supt. Lay, Board Member Johnson and Eli Gallup attended Legislative Action Day. They met and had a very productive and open dialog with Senator Nielsen. Discussion included asking Sacramento to make timely decisions that affect schools; and that Distance Learning is still needed to accommodate the families nervous about coming back.

All the work being done by NCSOS staff is greatly appreciated and acknowledged.

9. Staff Reports

A. Alternative Education, Amy Brooks

Brooks reported EJ is open 5 days a week, one hour shorter per day, and are looking to open fully in the fall. Students are currently testing. Brooks is working with Teena Corker on the LCAP report and surveys. Current enrollment is 6 with 3 on a wait list.

Board Member Baker joined the meeting.

B. Educational Services, Teena Corker

District; Charter; and NCSOS LCAP’s are being reviewed. Input is being received from FYP; ILP; and Homeless Student Services Coordinator for the annual update of the Learning Continuity Plan.

The second Community of Practice for Social Emotional Learning workshop was held. Feedback was tremendously positive. Huge thanks to the A-Team for working collaboratively in providing the workshops.

2021-22 Professional opportunities are being discussed.

Strategic Arts Plan Committee along with district and charter representatives will meet and review the 5-year plan; making sure districts are supported in integrating the arts in all subjects; and develop a needs assessment.

Welcome to Gailyn Miranda, County Office Librarian, who is working with district library clerks. Miranda noted how friendly and welcoming the Nevada County teachers and learners are.

Corker clarified the flexibility and waivers in State testing. Districts and charters are required to present a plan to parents; and may use local alternative local assessments.

C. Business Services, Darlene Waddle

District and Charters 2nd Interim reviews are complete; all certified positive. Districts and charters are looking at creative ways to use funding to mitigate learning loss.

D. SELPA / Special Education, Eli Gallup

Gallup and Brunt are supporting families and districts that have program changes. Gallup is also helping smaller districts develop Special Ed positions based on needs.

Carrie Brunt, Special Education Principal was introduced. They are looking at how programs are navigating Federal requirements of full instructional pre-pandemic.
schedules with the California modified educational system; and are working closely with schools and families.

An increase in program development for Extended School Year is being looked at.

Gallup is the ACSA President and shared information regarding the Teacher Who Makes a Difference awards. With COVID, it was decided to award each district and charter school with a plaque to honor all the teachers.

10. Action Items
   A. Shall the Nevada County Board of Education approve amending the Superintendents contract days from 215 to reflect 220 days per year effective the 2020/21 school year? *(page 6)*

   On a motion by Clarabut and seconded by Johnson, the Nevada County Board of Education approved amending the Superintendents contract days from 215 to reflect 220 days per year effective the 2020/21 school year; all in favor; motion passed unanimously.

11. Discussion/Information - None

12. Board Reports
   A. Legislative, *Julie Baker*

   Baker reported the Education Committee met on April 7th and heard 17 pieces of legislation; Senate met today hearing 10 pieces of legislation.

   Baker is happy to look deeper into particular bills of interest of the Board.

   B. Charter Liaison, *Timothy May and Louise Johnson*

   Johnson advised they have a meeting scheduled with Marshall Goldberg, Special Education Director for the charter schools authorized by Nevada County Board of Education.

   C. Individual Board Reports

   Johnson reported effective July 1st 2021, she will be the President of the Retired Leaders and Managers Charter for Region 2. The group met via zoom on April 7th; the guest speakers were two Superintendents who lost everything in the fire; their districts are experiencing declining enrollment; and now enduring the pandemic. Resiliency stood out in the presentation as a photo was shared of the Superintendent and others in donated clothes.

   May expressed his feelings that this is not a lost year; that districts, administrators, staff and teachers have been working so hard and students are showing so much resiliency.

   Nicolai reported the ERC is reinventing itself and moving forward. Chico State career fairs will continue to work with local industry to help fill employment needs. Nicolai will be absent for the June 9th Board meeting and Clarabut will chair in his absence.

13. Adjournment

   Next Meeting Date: May 12, 2021: Board Budget Work Session 2:00 PM; Board of Education Meeting 3:00 PM, Via Zoom

   ________________________________  ________________________________
   Heino Nicolai, President                May 12, 2021
   Nevada County Board of Education        Date

4/14/21 Board Minutes
### LCAP Progress Monitoring

<table>
<thead>
<tr>
<th>Priority</th>
<th>Metric</th>
<th>Goal #</th>
<th>EAMO</th>
<th>June 2020</th>
<th>December 2020</th>
<th>March 2021</th>
<th>May 2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Basic Services</td>
<td>Teachers appropriately assigned</td>
<td>1</td>
<td>Maintain 100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Instructional material sufficiency</td>
<td>1</td>
<td>Maintain 100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td></td>
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<tr>
<td></td>
<td>Facilities in good repair</td>
<td>2</td>
<td>Maintain Exemplary/Good rating on FIT</td>
<td>Exemplary</td>
<td>Exemplary</td>
<td>Exemplary</td>
<td></td>
</tr>
<tr>
<td>2 Impl of standards</td>
<td>Implementation of standards</td>
<td>1</td>
<td>Maintain 100% standards aligned curriculum</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Enable EL to access CCSS and ELD standards</td>
<td>1</td>
<td>Maintain 100% access to ELD standards and EL Curr.</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td></td>
</tr>
<tr>
<td>3 Parental Involvement</td>
<td>Efforts to seek parent input</td>
<td>2</td>
<td>Maintain 100% of parents contacted weekly at least one time</td>
<td>100% of parents contacted weekly at least one time</td>
<td>100% of parents contacted weekly at least one time</td>
<td>100% of parents contacted weekly at least one time</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Parent input in decision making</td>
<td>2</td>
<td>100% parents solicited to provide input</td>
<td>100% solicited 7 surveys returned from EJ only</td>
<td>NA due to COVID-19</td>
<td>100% solicited 3 surveys returned</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Promote participation undup. students</td>
<td>2</td>
<td>Included above</td>
<td>100% solicited 7 surveys returned from EJ only</td>
<td>NA due to COVID</td>
<td>Included above</td>
<td></td>
</tr>
<tr>
<td>Priority</td>
<td>Metric</td>
<td>Goal #</td>
<td>EAMO</td>
<td>June 2020</td>
<td>December 2020</td>
<td>March 2021</td>
<td>May 2021</td>
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</tr>
<tr>
<td>4 Pupil Achievemnt</td>
<td>Statewide Assessments: *ELA *Math</td>
<td>1</td>
<td>ELA – Maintained or increase by 5% Math – increase by 5%</td>
<td>No students were tested on statewide assessments due to COVID-19</td>
<td></td>
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</tr>
<tr>
<td></td>
<td>API</td>
<td></td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td></td>
<td>A-G requirements</td>
<td>1</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>*EL Proficiency (CELDT)</td>
<td>1</td>
<td>100% will improve towards proficiency</td>
<td>1 EL students</td>
<td>1 EL student</td>
<td>In the process of testing</td>
<td></td>
</tr>
<tr>
<td></td>
<td>*RFEP rate (EL reclassification)</td>
<td>1</td>
<td>Maintain RFEP rate</td>
<td>0 EL students</td>
<td>0 EL Students</td>
<td>0 EL Students</td>
<td></td>
</tr>
<tr>
<td></td>
<td>% who passed AP with 3 or higher</td>
<td>1</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>% who participate in EAP</td>
<td>1</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>5 Pupil Engagement</td>
<td>School attendance rates</td>
<td>2</td>
<td>Increase to 84.8% from the 2018/19 school year</td>
<td>NA due to COVID</td>
<td>79.13% EJ</td>
<td>100% SL</td>
<td>Students have been present 76%</td>
</tr>
<tr>
<td></td>
<td>*Chronic absenteeism</td>
<td>2</td>
<td>Decrease to 22% from the 2018/19 school year</td>
<td>10% for the year</td>
<td>19%</td>
<td></td>
<td>60% of students have more than 10% absenteeism since Dec. 1st</td>
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<tr>
<td>Priority</td>
<td>Metric</td>
<td>Goal #</td>
<td>EAMO</td>
<td>June 2020</td>
<td>December 2020</td>
<td>March 2021</td>
<td>May 2021</td>
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</tr>
<tr>
<td>5 Pupil Engagement</td>
<td>Middle School/High School Dropout rates</td>
<td>2</td>
<td>Maintain &lt;1%</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>*High School Graduation rates</td>
<td>2</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>6 School Climate</td>
<td>*Suspension rates</td>
<td>2</td>
<td>Maintain at &lt;25% incidents annually (5%)</td>
<td>0 students were suspended</td>
<td>0 students have been suspended</td>
<td>0 students have been suspended</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Expulsion rates</td>
<td>2</td>
<td>Maintain &lt;1%</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>*Other local measures (CHKS, etc)</td>
<td>2</td>
<td>Maintain at or above 95% of students reporting positive school connections on annual survey</td>
<td>Survey sample EJ=13 stds SMJHP=5 stds Positive school connectedness EJ=65% SLMHS=100% Feeling safe at school EJ=92% SLMHS=100% Feelings of positive respect from staff EJ=77% SLMHS=100%</td>
<td>No CHKS report yet According to the Nevada County Secondary 2020-21 Main Report reported that 74% of students report school connectedness</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7 Course Access</td>
<td>*Broad Course of Study (EC 51210,51220)</td>
<td>1</td>
<td>80% will earn .3 credits per day toward HS grad</td>
<td>85% earning at least .3 credits per day</td>
<td>79% earning at least .3 credits per day at EJ and 100% at SL</td>
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<tr>
<td>Progs and svcs unduplicated pupils</td>
<td>Included above</td>
<td>Included above</td>
<td>Included Above</td>
<td>Included Above</td>
<td>Included Above</td>
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<tr>
<td>Progs and svcs pupils w/ exceptional needs</td>
<td>Included above</td>
<td>Included above</td>
<td>Included Above</td>
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<td>Included Above</td>
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</table>

<table>
<thead>
<tr>
<th>8 Other Pupil outcomes</th>
<th>Other local measures</th>
<th>1</th>
<th>STAR Reading will increase to 85%</th>
<th>NA</th>
<th>Reading: 90% showing improvement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>STAR Math will increase to 70%</td>
<td></td>
<td>Math: 72% showing improvement</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Math: 81% are showing improvement</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Priority</th>
<th>Metric</th>
<th>Goal</th>
<th>EAMO</th>
<th>June 2020</th>
<th>December 2020</th>
<th>March 2021</th>
<th>May 2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>9 Expelled Students</td>
<td>2% decrease in recidivism</td>
<td>3</td>
<td>17%</td>
<td>0 Students</td>
<td>0 students</td>
<td>0 students</td>
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</tr>
<tr>
<td></td>
<td>2% increase successful transitions</td>
<td>3</td>
<td>81%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Maintain % eligible to graduate</td>
<td>3</td>
<td>98%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td></td>
</tr>
<tr>
<td>Objective</td>
<td>Target</td>
<td>Measure/monitoring</td>
<td>Timeline</td>
<td>Accomplished</td>
<td>Next Milestone</td>
<td>Notes</td>
<td></td>
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</tr>
<tr>
<td>Maintain % FY suspended or expelled</td>
<td>Maintain at or less than 1% for expelled. Decrease suspension rate by 1% to 14.6%</td>
<td>0 expulsions</td>
<td>0 suspensions</td>
<td>0 expulsions</td>
<td>0 expulsions</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maintain release of school records</td>
<td></td>
<td>1 day</td>
<td>1-3 days</td>
<td>1-3 days</td>
<td>1-3 days</td>
<td></td>
<td></td>
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<tr>
<td>Increase total contacts with school and community agencies</td>
<td>Maintain at 35-40 per year</td>
<td>Well over 40 outreaches so far</td>
<td>Well over 40 contacts</td>
<td>Well over 40 contacts/year Average of 5/day</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Increase % FY who receive diploma</td>
<td>82%</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maintain ADA at or above 98%</td>
<td>At or above 98%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>100% who exhibit mental health issues will be referred for assessment</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Eligible FY will participate in ILP</td>
<td>92%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td></td>
<td></td>
<td></td>
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</tbody>
</table>
Sugarloaf Mtn. Juvenile Hall Program
CDS Code 29 10298 0116913 - closed 12.31.2020
Surplus Items from closure
Surplussed items have insufficient value
and will be donated or disposed of per Education Code 17546

<table>
<thead>
<tr>
<th>Publisher*</th>
<th>Date</th>
<th>Title</th>
<th>Subject</th>
<th>Quantity</th>
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<tr>
<td>AGS Publishing</td>
<td>2005</td>
<td>US History Teacher's edition</td>
<td>US History</td>
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<td>AGS Publishing</td>
<td>2004</td>
<td>Algebra 2 Teacher's edition</td>
<td>Math</td>
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<td>Prentice Hall</td>
<td>2001</td>
<td>Pre-Algebra</td>
<td>Math</td>
<td>1</td>
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<td>McDougal Littell</td>
<td>2007</td>
<td>California Geometry</td>
<td>Math</td>
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<td>Math</td>
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<td>McDougal Littell</td>
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<td>Holt</td>
<td>2003</td>
<td>Literature and Language Arts 1st course</td>
<td>English</td>
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<td>2010</td>
<td>Literature and Language Arts 2nd course</td>
<td>English</td>
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<td>English</td>
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<td>Math</td>
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<tr>
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<td>2003</td>
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<td>US History</td>
<td>History</td>
<td>3</td>
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<td>History</td>
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Sugarloaf Mtn. Juvenile Hall Program
CDS Code 29 10298 0116913 - closed 12.31.2020
Surplus items from closure
Surplussed items have insufficient value
and will be donated or disposed of per Education Code 17546

<table>
<thead>
<tr>
<th>Publisher</th>
<th>Year</th>
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<th>Subject</th>
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<tr>
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<td>Math</td>
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<td>TE American Government</td>
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<td>McGraw Hill</td>
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<td>TE Math with Business Applications</td>
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<td>1</td>
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</table>

*All textbooks listed are outdated and cannot be used with current standards and may be donated or disposed of (Education Code 60510, 60511, 60530)

**Furniture**

<table>
<thead>
<tr>
<th>Item Description</th>
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<tbody>
<tr>
<td>48x30x30 table with keyboard drawer</td>
</tr>
<tr>
<td>42x24x29 desk with 2 deep drawers</td>
</tr>
<tr>
<td>25x15x51 4 drawer metal filing cabinet -5 total</td>
</tr>
<tr>
<td>26x15x40 3 drawer metal filing cabinet</td>
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<tr>
<td>63in pull-down projector screen</td>
</tr>
<tr>
<td>96in dry-erase board</td>
</tr>
<tr>
<td>cushioned rolling chair -3 total</td>
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<tr>
<td>hard plastic chair -10 total</td>
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</table>
Expanded Learning Opportunities Grant Plan

<table>
<thead>
<tr>
<th>Local Educational Agency (LEA) Name</th>
<th>Contact Name and Title</th>
<th>Email and Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nevada County Superintendent of Schools</td>
<td>Darlene Waddle</td>
<td><a href="mailto:dwaddle@nevco.org">dwaddle@nevco.org</a></td>
</tr>
<tr>
<td></td>
<td>Chief Business Official</td>
<td>530-478-6400 x 2019</td>
</tr>
</tbody>
</table>

The following is the local educational agency’s (LEA’s) plan for providing supplemental instruction and support to students, including those identified as needing academic, social-emotional, and other supports, including the provision of meals and snacks. The plan will explain how the LEA will use the funds it receives through the Expanded Learning Opportunities (ELO) Grant to implement a learning recovery program for at least the students included in one or more of the following groups: low-income students, English learners, foster youth, homeless students, students with disabilities, students at risk of abuse, neglect, or exploitation, disengaged students, and students who are below grade level, including, but not limited to, those who did not enroll in kindergarten in the 2020-21 school year, credit-deficient students, high school students at risk of not graduating, and other students identified by certificated staff.

For specific requirements please refer to the Expanded Learning Opportunities Grant Plan Instructions.

Plan Descriptions

A description of how parents, teachers, and school staff were involved in the development of the plan.

On April 28th, the ELO grant opportunity was discussed with the Certificated Union leadership. On May 3rd, The ELO grant opportunity was discussed with the Community Advisory Council (CAC). On May 6th a meeting was held to review all solicited feedback and develop a plan of action. The team included the CAC President, a designated instructional service staff member, the Certificated Union President, the Special Education Principal, the Chief Business Officer, and the SELPA Administrator.

A description of how students will be identified and the needs of students will be assessed.

The planning team determined that all students that are enrolled within a County operated SDC Program will be given the option of accessing identified additional services. The needs of our students will be determined through a review of each students’ IEP related goals and their level of progress on said goals. Goals that are not on target to be met will be prioritized.

A description of how parents and guardians of students will be informed of the opportunities for supplemental instruction and support.

The Special Education Department will inform parents and guardians of the opportunities for supplemental instruction and support through email, teacher outreach, and the use of our “all -call” phone system.

A description of the LEA’s plan to provide supplemental instruction and support.

The LEA plan to provide supplemental instruction and support is to:
1. Create an afterschool program within our SDC Programs. The after school program will be staffed by our highly trained Paraeducators with the function of supporting students in making progress on their IEP related goals.
2. Provide professional development to address accelerated learning strategies, learning gaps and mental well-being.
3. Extend the length of the Paraeducator contract by an additional two hours per week in support of creating a Professional Learning Community (PLC). The purpose of this PLC is to provide high quality training in support of developing consistency of practice that supports high quality instruction.
4. Provide Paraeducator support in classrooms to accelerate student learning and mitigate learning loss.

Expenditure Plan

The following table provides the LEA’s expenditure plan for how it will use ELO Grant funds to support the supplemental instruction and support strategies being implemented by the LEA.

<table>
<thead>
<tr>
<th>Supplemental Instruction and Support Strategies</th>
<th>Planned Expenditures</th>
<th>Actual Expenditures</th>
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<tbody>
<tr>
<td>Extending instructional learning time</td>
<td>$52,500</td>
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<tr>
<td>Accelerating progress to close learning gaps through the implementation, expansion, or enhancement of learning supports</td>
<td>$157,089</td>
<td></td>
</tr>
<tr>
<td>Integrated student supports to address other barriers to learning</td>
<td>$0</td>
<td></td>
</tr>
<tr>
<td>Community learning hubs that provide students with access to technology, high-speed internet, and other academic supports</td>
<td>$0</td>
<td></td>
</tr>
<tr>
<td>Supports for credit deficient students to complete graduation or grade promotion requirements and to increase or improve students’ college eligibility</td>
<td>$0</td>
<td></td>
</tr>
<tr>
<td>Supplemental Instruction and Support Strategies</td>
<td>Planned Expenditures</td>
<td>Actual Expenditures</td>
</tr>
<tr>
<td>------------------------------------------------------------------------------------</td>
<td>----------------------</td>
<td>---------------------</td>
</tr>
<tr>
<td>Additional academic services for students</td>
<td>$0</td>
<td></td>
</tr>
<tr>
<td>Training for school staff on strategies to engage students and families in addressing students' social-emotional health and academic needs</td>
<td>$52,500</td>
<td></td>
</tr>
<tr>
<td>Total Funds to implement the Strategies</td>
<td>$282,089</td>
<td></td>
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</table>

A description of how ELO Grant funds are being coordinated with other federal Elementary and Secondary School Emergency Relief Funds received by the LEA.

The Expanded Learning Opportunities funds are utilized in coordination with other relief funds to support students with learning loss and mental health supports. Other funding sources provided support to students, families and staff with Distance Learning and Hybrid Learning models through technology, professional development, instructional supports and social/emotional supports. The ELO funds will be used to help students return to in-person learning and mitigate learning loss.
Expanded Learning Opportunities Grant Plan Instructions: Introduction

The Expanded Learning Opportunities Grant Plan must be completed by school districts, county offices of education, or charter schools, collectively referred to as Local Educational Agencies (LEAs), that receive Expanded Learning Opportunities (ELO) Grant funds under California Education Code (EC) Section 43521(b). The plan must be adopted by the local governing board or body of the LEA at a public meeting on or before June 1, 2021, and must be submitted to the county office of education, the California Department of Education, or the chartering authority within five days of adoption, as applicable. The plan must be updated to include the actual expenditures by December 1, 2022.

For technical assistance related to the completion of the Expanded Learning Opportunities Grant Plan, please contact ELOGrants@cde.ca.gov mailto:lcff@cde.ca.gov

Instructions: Plan Requirements

An LEA receiving ELO Grant funds under EC Section 43521(b) is required to implement a learning recovery program that, at a minimum, provides supplemental instruction, support for social and emotional well-being, and, to the maximum extent permissible under the guidelines of the United States Department of Agriculture, meals and snacks to, at a minimum, students who are included in one or more of the following groups:

- low-income,
- English learners,
- foster youth,
- homeless students,
- students with disabilities,
- students at risk of abuse, neglect, or exploitation,
- disengaged students, and
- students who are below grade level, including, but not limited to, those who did not enroll in kindergarten in the 2020–21 school year, credit-deficient students, high school students at risk of not graduating, and other students identified by certificated staff.

For purposes of this requirement

- "Supplemental instruction" means the instructional programs provided in addition to and complementary to the LEAs regular instructional programs, including services provided in accordance with an individualized education program (IEP).
- "Support" means interventions provided as a supplement to those regularly provided by the LEA, including services provided in accordance with an IEP, that are designed to meet students’ needs for behavioral, social, emotional, and other integrated student supports, in order to enable students to engage in, and benefit from, the supplemental instruction being provided.
- "Students at risk of abuse, neglect, or exploitation" means students who are identified as being at risk of abuse, neglect, or exploitation in a written referral from a legal, medical, or social service agency, or emergency shelter.

EC Section 43522(b) identifies the seven supplemental instruction and support strategies listed below as the strategies that may be supported with ELO Grant funds and requires the LEA to use the funding only for any of these purposes. LEAs are not required to implement each supplemental instruction and support strategy; rather LEAs are to work collaboratively with their community partners to identify the...
supplemental instruction and support strategies that will be implemented. LEAs are encouraged to engage, plan, and collaborate on program operation with community partners and expanded learning programs, and to leverage existing behavioral health partnerships and Medi-Cal billing options in the design and implementation of the supplemental instruction and support strategies being provided (EC Section 43522[h]).

The seven supplemental instruction and support strategies are:

1. Extending instructional learning time in addition to what is required for the school year by increasing the number of instructional days or minutes provided during the school year, providing summer school or intersessional instructional programs, or taking any other action that increases the amount of instructional time or services provided to students based on their learning needs.

2. Accelerating progress to close learning gaps through the implementation, expansion, or enhancement of learning supports including, but not limited to, any of the following:
   a. Tutoring or other one-on-one or small group learning supports provided by certificated or classified staff.
   b. Learning recovery programs and materials designed to accelerate student academic proficiency or English language proficiency, or both.
   c. Educator training, for both certificated and classified staff, in accelerated learning strategies and effectively addressing learning gaps, including training in facilitating quality and engaging learning opportunities for all students.

3. Integrated student supports to address other barriers to learning, such as the provision of health, counseling, or mental health services, access to school meal programs, before and after school programs, or programs to address student trauma and social-emotional learning, or referrals for support for family or student needs.

4. Community learning hubs that provide students with access to technology, high-speed internet, and other academic supports.

5. Supports for credit deficient students to complete graduation or grade promotion requirements and to increase or improve students’ college eligibility.

6. Additional academic services for students, such as diagnostic, progress monitoring, and benchmark assessments of student learning.

7. Training for school staff on strategies, including trauma-informed practices, to engage students and families in addressing students’ social-emotional health needs and academic needs.

As a reminder, EC Section 43522(g) requires that all services delivered to students with disabilities be delivered in accordance with an applicable IEP.

**Fiscal Requirements**

The following fiscal requirements are requirements of the ELO grant, but they are not addressed in this plan. Adherence to these requirements will be monitored through the annual audit process.

- The LEA must use at least 85 percent (85%) of its apportionment for expenditures related to providing in-person services in any of the seven purposes described above.

- The LEA must use at least 10 percent (10%) of the funding that is received based on LCFF entitlement to hire paraprofessionals to provide supplemental instruction and support through the duration of this program, with a priority for full-time paraprofessionals. The supplemental instruction and support provided by the paraprofessionals must be prioritized for English learners and students with disabilities. Funds expended to hire paraprofessionals count towards the LEAs requirement to spend at least 85% of its apportionment to provide in-person services.
• An LEA may use up to 15 percent (15%) of its apportionment to increase or improve services for students participating in distance learning or to support activities intended to prepare the LEA for in-person instruction, before in-person instructional services are offered.

Instructions: Plan Descriptions

Descriptions provided should include sufficient detail yet be sufficiently succinct to promote a broad understanding among the LEA’s local community.

A description of how parents, teachers, and school staff were involved in the development of the plan

Describe the process used by the LEA to involve, at a minimum, parents, teachers, and school staff in the development of the Expanded Learning Opportunities Grant Plan, including how the LEA and its community identified the seven supplemental instruction and support strategies that will be implemented. LEAs are encouraged to engage with community partners, expanded learning programs, and existing behavioral health partnerships in the design of the plan.

A description of how parents and guardians of students will be informed of the opportunities for supplemental instruction and support.

Describe the LEA’s plan for informing the parents and guardians of students identified as needing supplemental instruction and support of the availability of these opportunities, including an explanation of how the LEA will provide this information in the parents’ and guardians’ primary languages, as applicable.

A description of how students will be identified and the needs of students will be assessed

Describe the LEA’s plan for identifying students in need of academic, social-emotional, and other integrated student supports, including the LEA’s plan for assessing the needs of those students on a regular basis. The LEA’s plan for assessing the academic needs of its students may include the use of diagnostic and formative assessments.

As noted above in the Plan Requirements, “other integrated student supports” are any supports intended to address barriers to learning, such as the provision of health, counseling, or mental health services, access to school meal programs, before and after school programs, or programs to address student trauma and social-emotional learning, or referrals for support for family or student needs.

A description of the LEA’s plan to provide supplemental instruction and support

Describe the LEA’s plan for how it will provide supplemental instruction and support to identified students in the seven strategy areas defined in the Plan Requirements section. As a reminder, the LEA is not required to implement each of the seven strategies; rather the LEA will work collaboratively with its community to identify the strategies that will be implemented. The plan must include a description of how supplemental instruction and support will be provided in a tiered framework that bases universal, targeted, and intensive supports on students’ needs for academic, social-emotional, and other integrated student supports. The plan must also include a description of how the services will be provided through a program of engaging learning experiences in a positive school climate.

As a reminder, EC Section 43522(g) requires that all services delivered to students with disabilities be delivered in accordance with an applicable individualized education program. Additionally, LEAs are encouraged to collaborate with community partners and expanded learning programs, and to leverage existing behavioral health partnerships and Medi-Cal billing options in the implementation of this plan (EC Section 43522(h)).
Instructions: Expenditure Plan

The 'Supplemental Instruction and Support Strategies' column of the Expenditure Plan data entry table lists the seven supplemental instruction and support strategies that may be supported with ELO Grant funds.

Complete the Expenditure Plan data entry table as follows:

In the 'Planned Expenditures' column of the data entry table, specify the amount of ELO Grant funds being budgeted to support each supplemental instruction and support strategies being implemented by the LEA and the total of all ELO Grant funds being budgeted.

The plan must be updated to include the actual expenditures by December 1, 2022. In the 'Actual Expenditures' column of the data entry table the LEA will report the amount of ELO Grant funds that the LEA actually expended in support of the strategies that it implemented, as well as the total ELO Grant funds expended.

A description of how these funds are being coordinated with other federal Elementary and Secondary School Emergency Relief Funds received by the LEA

Describe how the LEA is coordinating its ELO Grant funds with funds received from the federal Elementary and Secondary School Emergency Relief (ESSER) Fund provided through the federal Coronavirus Response and Relief Supplemental Appropriations Act of 2021 (Public Law 116-260), also known as ESSER II, to maximize support for students and staff.

California Department of Education
March 2021
Memo

TO: Nevada County Board of Education
FROM: Melissa Parrett & Scott W. Lay
DATE: 5/4/21
Re: Certification of Supervisors of Attendance

Agenda Item Background/Description:
California Education Code Section 48241
In any city, or city and county no supervisor of attendance or assistant supervisors of attendance shall be appointed, unless he has been lawfully certificated for the work by the county board of education. See attached law.

Analysis:
February 23, 2021 the Delta-Sierra Section of the California Association of Supervisors of Child Welfare and Attendance (CASCWA) hosted a training for Nevada, Sutter and Shasta counties via Zoom, which covered the following: updated attendance law, LCAP, chronic absence vs. truancy, unexcused vs. excused absences, attendance mandates & policies, data analysis and subgroups, disenrollment of truants, etc. The training covered the following details of the laws and bringing districts and their supervisors of attendance into alignment with Ed. Code 48245 and Ed. Code 48240.

Recommendation:
Certify the following attendees that completed the training on February 23, 2021 and received a certificate of completion from the Delta-Sierra section of CASCWA: See attached list.
State of California

EDUCATION CODE

Section 48240

48240. (a) The governing board of each school district and each county superintendent of schools shall appoint a supervisor of attendance and any assistant supervisors of attendance as may be necessary to supervise the attendance of pupils in the school district or county. The governing board of the school district or county superintendent of schools shall prescribe the duties of the supervisor of attendance and assistant supervisors of attendance to include, among other duties that may be required, those specific duties related to compulsory full-time education, truancy, work permits, compulsory continuation education, and opportunity schools, classes, and programs, now required of the attendance supervisors by this chapter and Article 4 (commencing with Section 48450) of Chapter 3 and Article 2 (commencing with Section 48640) of Chapter 4.

(b) It is the intent of the Legislature that in performing his or her duties, the supervisor of attendance promote a culture of attendance and establish a system to accurately track pupil attendance in order to achieve all of the following:

1. Raise the awareness of school personnel, parents, guardians, caregivers, community partners, and local businesses of the effects of chronic absenteeism and truancy and other challenges associated with poor attendance.

2. Identify and respond to grade level or pupil subgroup patterns of chronic absenteeism or truancy.

3. Identify and address factors contributing to chronic absenteeism and habitual truancy, including suspension and expulsion.

4. Ensure that pupils with attendance problems are identified as early as possible to provide applicable support services and interventions.

5. Evaluate the effectiveness of strategies implemented to reduce chronic absenteeism rates and truancy rates.

(c) When a pupil with a temporary disability, as defined in Section 48206.3, is receiving individual instruction in the home or a hospital or other residential health facility, the supervisor of attendance shall ensure that absences from the pupil's regular school program are excused until the pupil is able to return to the regular school program.

(d) The supervisor of attendance may provide support services and interventions, which may include, but are not limited to, any or all of the following:

1. A conference between school personnel, the pupil's parent or guardian, and the pupil.
(2) Promoting cocurricular and extracurricular activities that increase pupil connectedness to school, such as tutoring, mentoring, the arts, service learning, or athletics.

(3) Recognizing pupils who achieve excellent attendance or demonstrate significant improvement in attendance.

(4) Referral to a school nurse, school counselor, school psychologist, school social worker, and other pupil support personnel for case management and counseling.

(5) Collaboration with child welfare services, law enforcement, courts, public health care agencies, or government agencies, or medical, mental health, and oral health care providers to receive necessary services.

(6) Collaborating with school study teams, guidance teams, school attendance review teams, or other intervention-related teams to assess the attendance or behavior problem in partnership with the pupil and his or her parents, guardians, or caregivers.

(7) In schools with significantly higher rates of chronic absenteeism, identify barriers to attendance that may require schoolwide strategies rather than case management.

(8) Referral for a comprehensive psychosocial or psychoeducational assessment, including for purposes of creating an individualized education program for an individual with exceptional needs, as that term is defined in Section 56026, or plan adopted for a qualified handicapped person, as that term is defined in regulations promulgated by the United States Department of Education pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794).

(9) Referral to a school attendance review board established by the county or by a school district pursuant to Section 48321 or to the probation department pursuant to Section 48263.

(10) Referral to a truancy mediation program operated by the county's district attorney or probation officer pursuant to Section 48260.6.

(Amended by Stats. 2018, Ch. 167, Sec. 7. (AB 2109) Effective January 1, 2019.)
State of California

EDUCATION CODE

Section 48241

48241. In any city or city and county no supervisor of attendance or assistant supervisors of attendance shall be appointed, unless he has been lawfully certificated for the work by the county board of education.

(Enacted by Stats. 1976, Ch. 1010.)
Free Attendance Certification Training

SAVE THE DATE

Training Via ZOOM
Tuesday, February 23, 2021
9:00 am to 12:30 pm

Shasta County Office of Education, Nevada County Superintendent of Schools and Sutter County Superintendent of Schools in partnership with The Delta Sierra section of CASCWA will be hosting an attendance certification training. This certification will bring districts and their supervisors of attendance into alignment with Ed Code 48245 and Ed Code 48240.

The training will cover:
- Updated attendance laws
- COVID Related Attendance Issues
- Chronic absence vs truancy
- Unexcused vs excused absences
- Attendance mandates & policies
- Data analysis and subgroups
- Dis-enrollment of truants
- And, much more!

Registration link and information to follow

Cost: Waived due to COVID, Training provided by David Kopperud and Dan Sackheim from the California Department of Education
<table>
<thead>
<tr>
<th></th>
<th>Name</th>
<th>Name</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Katrina</td>
<td>Paz</td>
<td><a href="mailto:kpaz@njuhsd.com">kpaz@njuhsd.com</a></td>
</tr>
<tr>
<td>2</td>
<td>Kathy</td>
<td>Stephens</td>
<td><a href="mailto:kstephensen@njuhsd.com">kstephensen@njuhsd.com</a></td>
</tr>
<tr>
<td>3</td>
<td>Karla</td>
<td>Aaron</td>
<td><a href="mailto:kaaron@njuhsd.com">kaaron@njuhsd.com</a></td>
</tr>
<tr>
<td>4</td>
<td>Melissa</td>
<td>Parrett</td>
<td><a href="mailto:mparrett@nevco.org">mparrett@nevco.org</a></td>
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<tr>
<td>5</td>
<td>Lorita</td>
<td>Riedel</td>
<td><a href="mailto:lriedel@njuhsd.com">lriedel@njuhsd.com</a></td>
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<tr>
<td>6</td>
<td>Mary</td>
<td>Cloud</td>
<td><a href="mailto:mccloud@gvds.us">mccloud@gvds.us</a></td>
</tr>
<tr>
<td>7</td>
<td>Amy</td>
<td>Brooks</td>
<td><a href="mailto:abrooks@nevco.org">abrooks@nevco.org</a></td>
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<td>8</td>
<td>Sharon</td>
<td>Shafran</td>
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<td>9</td>
<td>Megan</td>
<td>Perez-Carpenter</td>
<td><a href="mailto:mperez@sierraacademy.net">mperez@sierraacademy.net</a></td>
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<tr>
<td>10</td>
<td>Marissa</td>
<td>Parks</td>
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<td>11</td>
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<tr>
<td>12</td>
<td>Lara</td>
<td>Nofsinger</td>
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</table>
Board Bylaw
Role Of The Board

BB 9000
Board Bylaws

The County Board of Education provides leadership and citizen oversight for educational programs and services operated by the county office of education (COE), including services provided to school districts and the community. The primary objectives of the County Board are to work with the County Superintendent of Schools to establish direction and priorities for the COE and to provide leadership necessary for the success of public education.

In fulfilling its objectives, it is the role of the County Board to:

1. Adopt and update policies for its own governance and for programs under the statutory authority of the County Board

(cf. 9310 - Board Policies)

2. Ensure accountability for student learning in schools and programs under the statutory authority of the County Board

3. Fulfill responsibilities related to the local control funding formula (LCFF), including adopting the COE local control and accountability plan or update and the LCFF budget overview for parents/guardians

(cf. 0460 - Local Control and Accountability Plan)

4. Provide community leadership on educational issues and advocate on behalf of students and public education at the local, state, and federal levels

5. Collaborate with the County Superintendent to ensure implementation of the shared vision, goals, and policies of the COE

6. Collaborate with the County Superintendent to ensure the provision of a safe and appropriate educational environment for all COE students

7. Adopt the annual budget and review interim reports of the County Superintendent

(cf. 3100 - Budget Adoption and Revision)

8. Fix the salary of the County Superintendent in accordance with law

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(c.f. 9500 - County Superintendent's Remuneration)

9. Adopt rules and regulations governing the administration of the office of the County Superintendent

10. Acquire, lease, lease-purchase, hold, and convey real property for the purpose of housing the offices and the services of the COE

11. Maintain a cooperative and supportive working relationship with local school districts, their school boards, and the community

12. Conduct appeals on the following actions by district governing boards: student expulsions; interdistrict transfer requests; denials, nonrenewals, or revocations of charter school petitions; and other matters when required by law

(cf. 5144.3 - Student Expulsion Appeals)

13. Conduct public hearings when appropriate

14. Consider petitions and provide oversight for charter schools approved by the County Board and fulfill other statutory responsibilities in connection with charter schools

The County Board is authorized to establish, carry on, and finance any program or activity that is not in conflict with, inconsistent with, or preempted by law and does not conflict with the purposes for which the County Board is established. (Education Code 35160-35160.1)

Legal Reference:
EDUCATION CODE
1000-1017 Election, jurisdiction, organization and procedure; county boards of education
1040-1048 Duties and responsibilities; county boards of education, especially:
1042 County boards; authority
1080-1082 Transfer of duties and functions to county board
1090 Compensation for county board member services
1095 County board membership in organizations for promotion and advancement of public education
1200 Actual and necessary travel expenses incurred by county superintendent
1209 Approval by county board for determination of county superintendent salary
1240-1281 Duties, responsibilities, and general powers; county superintendents of schools, especially:
1240 Duties of county superintendent
1279 Disposal of personal property
1280 Budget revisions

First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education: __________________________
1294 Staff employed by county superintendent
1295 Leaves of absence for non-certificated staff
1302 Salary, bonus, and retirement benefits increases for county office of education staff
1620-1630 County board budget approval and adoption, including appropriations limit resolution
1720 Preparation of courses of study and development of curriculum and instructional materials
1730 Supervision of instruction
1740 Supervision of attendance
1750 Supervision of health
1760 Provision of guidance services
1770 Provision of library services
1900 Classes or schools for prisoners
1920 Emergency schools
1945 Provision of advisory services
1946 Agreements with districts for centralized in-service training programs
1980-1986 County community schools
4020-4024 Transfer of duties of county committee to county board
5000 Election of district board members
5091 Vacancy on district board
8321 County superintendent authority to establish and maintain child development programs
17150-17150.1 School bonds; public disclosure of non-voter-approved debt
33050 Request to state board for waiver
33319.5 Implementation of authority of local agencies
35160 Authority of county boards
35160.1 Authority of county boards; legislative intent
41032 Gifts, donations, bequests, and devises
44332 Temporary certificates for purpose of authorizing salary payments
44422 Hearing by county board; immoral or unprofessional conduct by holder of credential
46601 Parent/guardian appeal of interdistrict transfer request
47600-47616.5 Charter Schools Act of 1992, as amended
48321 County school attendance review board
48645-48648 Juvenile court schools
48919 Expulsion and appeals to county board
52064.1-52077 Local control and accountability plan
52300-52334.7 Career technical education; regional occupational centers
60119 District requirements for instructional materials funding
60200-60213 Selection and adoption of elementary school materials
60400 Adoption and Purchase of high school textbooks
ELECTIONS CODE
9603 Advisory election during regular or special election
GOVERNMENT CODE
910-915.4 Presentation and consideration of claims
53096 City or county ordinance inapplicable to proposed use of property
53822 Temporary borrowing; notes, tax anticipation warrants or other evidences or indebtedness

First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education: ____________________
87300 Conflict of interest code
CALIFORNIA CONSTITUTION
Article 9, Section 3.1 Qualifications and salary of county superintendent
CODE OF REGULATIONS, TITLE 5
17433 Claims for travel expense
18271 Child care and development programs; philosophy, goals, and objectives
ATTORNEY GENERAL OPINIONS

Management Resources:
CSBA PUBLICATIONS
Professional Governance Standards for County Boards, October 2014
CALIFORNIA COUNTY BOARDS OF EDUCATION PUBLICATIONS
County Board Member Handbook: A Guide to Effective Governance, 2015
CALIFORNIA COUNTY SUPERINTENDENTS EDUCATIONAL SERVICES
ASSOCIATION PUBLICATIONS
Statutory Functions of County Boards of Education and County Superintendents of Schools, rev. 2014

WEB SITES
CSBA: http://www.csba.org
California County Boards of Education: http://www.thecbe.org
California County Superintendents Educational Services Association: http://www.ccsesa.org

(1/16) 1/19

First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education: ____________________
LEGAL RESPONSIBILITIES OF THE COUNTY BOARD OF EDUCATION

The roles and responsibilities of the County Board of Education as stated in the California Constitution, the California Education Code, Title 5 of the California Code of Regulations, and other statutes include, but are not necessarily limited to, the following required and optional responsibilities.

Governance

The County Board is required to do the following:

1. Adopt rules and regulations consistent with laws of the state for its own governance (Education Code 1040)

2. Hold a regular meeting at least once a month (Education Code 1011)

3. Keep a record of County Board proceedings including all votes of the County Board (Education Code 1040, 1015)

4. Conduct the biennial election of the County Board (Education Code 1007, 5000)

The County Board has the discretion to do the following:

5. Conduct an advisory election on substantive issues or ballot proposals (Elections Code 9603)

6. Adopt or repeal a limit on the number of terms a member may serve on the County Board (Education Code 1006)

Operations

The County Board is required to do the following:

7. Adopt and update a conflict of interest code for County Board members and designated consultants (Government Code 87300)
8. Act as the county committee on school district organization when ordered to do so by the State Board of Education (SBE) (Education Code 4020)

The County Board has the discretion to do the following:

9. Initiate and carry on any program or activity, or otherwise act in any manner which is not in conflict with or inconsistent with, or preempted by, any law and which is not in conflict with the purposes for which the county office of education (COE) is established (Education Code 35160)

10. Adopt rules and regulations governing the administration of the office of the County Superintendent of Schools (Education Code 1042)

11. Accept on behalf of the COE any gifts, donations, devices, and bequests made to the COE or for the benefit of any school or program maintained by the COE (Education Code 41032)

12. Consider for approval any COE staff request for a sabbatical leave that is not otherwise covered by a certificated bargaining agreement and has been granted by the County Superintendent (Education Code 1294)

13. Consider for approval any COE staff request made through the County Superintendent for a paid or unpaid leave of absence, not otherwise included in the classified bargaining agreement (Education Code 1295)

14. Conduct a hearing at the request of the Commission on Teacher Credentialing (CTC) for any credential holder who is serving in or last served in the county and is accused of misconduct by the CTC (Education Code 44422)

15. Issue temporary teaching certificates to certificated employees for the purpose of authorizing salary payments (Education Code 44332)

16. Contract with and employ persons to furnish the County Board with special services and advice in financial, economic, accounting, engineering, legal, or administrative matters if these persons are specially trained and experienced and competent to perform the special services required (Education Code 1042)

17. Take action on any claim for damages presented in accordance with the provisions governing claims filed against public entities (Government Code 911.6)

18. Acquire, lease, lease-purchase, and hold and convey real property for the purpose of housing the offices and the services of the COE (Education Code 1042)

19. Exercise the power of eminent domain to acquire any property necessary or convenient for carrying out the duties and responsibilities of the County Board (Education Code 1047)

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20. Render a city or county zoning ordinance related to storage or transmission of water or electrical energy facilities inapplicable to a proposed use of property by the COE (Government Code 53096)

County Programs, Schools, and Services

The County Board is required to do the following:

21. Adopt a course of study for county community schools (Education Code 1983)

22. Ensure that services and programs designed to address the language needs of English learners in county community schools are provided (Education Code 1983)

23. Ensure that assessments are administered in all areas of suspected disability and appropriate services and programs, as specified in a student’s individualized education program, are provided (Education Code 1983)

24. Act as the governing board for any regional occupational program (ROP) maintained by the County Superintendent (Education Code 52310.5)

25. Establish and maintain an employer advisory board for an ROP governed by the County Board (Education Code 52302.2)

26. Biennially review the career technical courses and/or program offered by an ROP (Education Code 52302.3)

27. Consider for approval any plans for the construction of any juvenile court classrooms and facilities (Education Code 48645.6)

28. Provide for the administration and operation of juvenile court schools (Education Code 48645.2)

29. Adopt a course of study for juvenile court schools as recommended by the County Superintendent (Education Code 48645.3)

30. Evaluate the educational program established for juvenile court schools (Education Code 48645.3)

31. Adopt an annual school calendar for juvenile court schools as recommended by the County Superintendent (Education Code 48645.3)

32. Annually select state-approved textbooks and instructional materials for grades K-8 for specific career and technical education courses in juvenile court and community school programs (Education Code 60200)

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33. As recommended by the County Superintendent, adopt textbooks and instructional materials for high schools under the control of the COE (Education Code 60400)

34. If the COE receives funds for instructional materials for county-operated educational programs from any state source, annually hold a public hearing to make a determination as to whether students in COE programs have sufficient textbooks and/or instructional materials that are aligned to state content standards (Education Code 60119)

35. Consider for approval the program philosophy, goals, and objectives of any child care and development program operated by the County Superintendent (5 CCR 18271)

The County Board has the discretion to do the following:

36. Consider establishing and maintaining one or more county community schools (Education Code 1980)

37. Consider approving any County Superintendent proposal for the establishment of a child development program or center before submission to the Superintendent of Public Instruction (SPI) for approval (Education Code 8321)

38. Certify by resolution the compliance of ROP curriculum with state course approval criteria (Education Code 52309)

39. Appoint individuals or group representatives, other than district representatives, to a county school attendance review board (Education Code 48321)

40. Request the SBE to waive for the COE all or any part of the Education Code or any regulation adopted by the SBE (Education Code 33050)

41. Fill by appointment any vacancy that may occur during the term of the County Superintendent (Education Code 1042)

42. Fill by appointment any vacancy that may occur during the term of a County Board member (Education Code 1008, 5091)

Finance

The County Board is required to do the following:

43. Fix the salary and fringe benefits of the County Superintendent in accordance with law (California Constitution, Art. 9, Sec. 3.1; Education Code 1209)

44. Adopt regulations to pay the actual and necessary travel expenses of the County Superintendent and COE staff (Education Code 1081, 1200; 5 CCR 17433)

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45. Approve the annual budget of the County Superintendent before its submission to the County Board of Supervisors (Education Code 1040)

46. Review any recommendation by the County Superintendent to provide a bonus or salary increase of $10,000 or more for any employee (Education Code 1302)

47. Adopt an annual budget for the budget year and file it with the SPI, the County Board of Supervisors, and the County Auditor (Education Code 1622)

48. Review the report of the annual audit provided by the County Superintendent at a regularly scheduled public meeting (Education Code 1040)

49. Review the interim budget reports presented by the County Superintendent (Education Code 1240)

50. Approve or make revisions, reductions, or additions to the annual itemized estimates of anticipated revenue and expenditures prepared by the County Superintendent (Education Code 1042, 1080)

51. Annually adopt a resolution identifying the estimated appropriations limit for the current fiscal year and the actual appropriation limit for the prior fiscal year (Education Code 1629)

52. Consider for approval the disposal of the COE’s personal property worth over $25,000, as submitted by the County Superintendent (Education Code 1279)

The County Board has the discretion to do the following:

53. For fiscally dependent County Boards, determine the monthly compensation of County Board members (Education Code 1090)

(cf. 9250 - Remuneration, Reimbursement and Other Benefits)

54. Act by resolution to approve the meeting stipend of an absent County Board member when permitted by law (Education Code 1090)

55. Consider for approval any budget revision in excess of $25,000. Such budget revisions shall be incorporated in the next interim financial report or board report submitted to the County Board for discussion and approval at a regularly scheduled meeting. (Education Code 1280)

56. Consider for approval any consultant contract that constitutes a budget revision and is in excess of $25,000. Such budget revisions shall be incorporated into the next interim financial report or board report submitted to the County Board for discussion and approval at a regularly scheduled meeting. (Education Code 1281)

57. Include in the budget a general reserve to meet the cash requirements of the following

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fiscal year until adequate proceeds of the taxes levied or of the apportionment of state funds are available (Education Code 1621)

58. Include in the budget a designated fund balance, available for appropriation by a majority vote of the County Board, for any specific purpose (Education Code 1621)

59. Consider for approval any recommendation by the County Superintendent to increase the retirement benefits for an employee (Education Code 1302)

60. Subscribe for membership in any state or local organization which has as its primary purpose the promotion and advancement of public education (Education Code 1095)

61. Approve the County Superintendent's subscription for membership in any society, association, or organization which has the purpose of the promotion and advancement of public education (Education Code 1260)

Use of County School Service Fund

62. Consider short and long term borrowing based on projected tax revenue or estimated state apportionment as recommended by the County Superintendent (Government Code 53822)

63. Consider for approval the issuance of revenue bonds or agreements for financing pursuant to the California School Finance Authority Act (Education Code 17150)

64. Consider for approval any use of the county school service fund to allow the County Superintendent to employ supervisors to supervise instruction in the elementary school districts under the County Superintendent's jurisdiction (Education Code 1730)

65. Consider for approval any use of the county school service fund to allow the County Superintendent to employ personnel to supervise the attendance of students in elementary, high school, and unified school districts under the County Superintendent's jurisdiction (Education Code 1740)

66. Consider for approval any use of the county school service fund to allow the County Superintendent to employ supervisors of health to provide health services to students in elementary, high school, and unified school districts under the County Superintendent's jurisdiction (Education Code 1750)

67. Consider for approval any use of the county school service fund to allow the County Superintendent to employ personnel to provide necessary guidance services to students in elementary, high school, and unified school districts under the County Superintendent's jurisdiction (Education Code 1760)

68. Consider for approval any use of the county school service fund for the County Superintendent to enter agreements with the county librarian to take over all existing contracts

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for supplementary books and other material adopted for the course of study between the school districts or community college districts and the county librarian  (Education Code 1770)

69. Consider for approval any use of the county school service fund to allow the County Superintendent to prepare, with the cooperation of school and community college districts, courses of study and the development of curriculum and instructional materials to be used in the elementary and secondary schools  (Education Code 1720)

70. Consider for approval any use of the county school service fund to allow the County Superintendent to establish and maintain emergency elementary schools, provide emergency teachers, and/or provide transportation to elementary schools for students residing in the county when funds are not available from other sources  (Education Code 1920)

71. Consider for approval any use of the county school service fund to allow the County Superintendent to provide advisory services in school business administration activities, in maintenance of school building and grounds, and in the processing of special problems concerning credentials as designated by the California Department of Education  (Education Code 1945)

72. Consider for approval any use of the county school service fund to provide classes to serve prisoners in county jail facilities as recommended by the County Superintendent and approved by the County Board of Supervisors  (Education Code 1900)

73. Consider for approval any use of the county school service fund to provide classes to serve prisoners in state correctional facilities pursuant to a contract with the Director of Corrections as recommended by the County Superintendent  (Education Code 1259)

74. Consider for approval any use of the county school service fund to enter into an agreement with any school or community college district within the jurisdiction of the County Superintendent to provide, under the direction of the County Superintendent, a centralized inservice training program to certificated or classified employees of those districts or of the COE  (Education Code 1946)

Local Control and Accountability Plan

The County Board is required to do the following:

75. For County Board run schools and programs, hold at least one public hearing to solicit the recommendations and comments of members of the public regarding the specific actions and expenditures proposed to be included in the local control and accountability plan (LCAP) and annual updates  (Education Code 52068)

76. Adopt the LCAP and annual updates, and the accompanying local control funding formula budget overview for parents/guardians  (Education Code 52064.1, 52067, 52068)

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77. Adopt revisions to the LCAP during the period the plan is in effect (Education Code 52068)

Charter School Petitions and Oversight

The County Board is required to do the following:

78. Provide technical assistance to County Board authorized charter schools consistent with state law (Education Code 47607.3)

79. Provide oversight by ensuring that all reports required of County Board authorized charter schools, including updates to the LCAP, are filed in a timely manner and by monitoring the fiscal condition of each County Board authorized charter school (Education Code 47604.32, 47606.5)

80. Review and adopt updates presented by the County Superintendent for any LCAP adopted by County Board authorized charter schools (Education Code 47604.33, 52067-52068)

The County Board has the discretion to do the following:

81. Consider for approval any petition to establish a charter school that will serve students for whom the COE would otherwise be responsible for providing direct education and related services (Education Code 47605.5)

82. Consider for approval any petition to establish a countywide charter school for the purpose of providing instructional services that are not generally provided by COE if the students who will benefit from those services cannot be served as well by a charter school that operates in a single school district within the county (Education Code 47605.6)

83. As part of the countywide charter school petitioning process, enter into an agreement with a third party to oversee, monitor, and report to the County Board on the operations of the charter school (Education Code 47605.6)

84. Consider for approval requests to materially revise a charter authorized by the County Board, including revisions that propose additional locations for the charter school (Education Code 47605, 47605.6, 47607)

85. Consider for approval requests to renew the petition of a charter school authorized by the County Board (Education Code 47607)

86. When necessary, and in accordance with proper procedures and appropriate findings, revoke a County Board approved charter for any of the reasons allowed by law (Education Code 47607)

87. Contract with the SBE to perform the oversight, monitoring, and reporting duties on the

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operations of a statewide benefit charter school authorized by the SBE  (Education Code 47605.8)

88. Perform the supervisory and oversight duties of a charter school that was approved on appeal by the SBE and is located within the county  (Education Code 47605)

Charter, Expulsion, and Interdistrict Transfer Appeals

The County Board is required to do the following:

89. Upon request of a charter school petitioner, act as the appeals board when the petition has been denied by a district within the county  (Education Code 47605)

90. Act as the appeals board for the nonrenewal of a charter school petition authorized by a district governing board  (Education Code 47607)

91. Act as the appeals board for the revocation of a charter school petition by a district governing board  (Education Code 47607)

92. Act as the appeals board for an interdistrict transfer attendance request denied by a district governing board  (Education Code 46601)

93. Act as the appeals board for a student expulsion ordered by a district governing board  (Education Code 48919)

Other Services to Districts

The County Board has the discretion to do the following:

94. Consider for approval the County Superintendent's proposal to study, or join with school districts to study, the future management, conditions, needs, and financial support of the schools within the county  (Education Code 1260)

95. Consider for approval the County Superintendent's proposal to install and maintain exhibits of educational programs and activities of the school districts within the county at any county fair or agricultural district fair  (Education Code 1260)

96. Consider for approval the County Superintendent's proposal to inform and make known to the citizens of the county the educational programs and activities of school districts in the county  (Education Code 1260)

97. Consider for approval the County Superintendent's proposal to provide inservice programs and coordination services for district and community college governing boards or board associations in the county  (Education Code 1260)

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Second reading and adoption by the Nevada County Board of Education: __________________
Board Bylaw
Governance Standards

BB 9005
Board Bylaws

The County Board of Education believes that its primary responsibility is to act in the best interests of every student in every school or program operated by the county office of education (COE). The County Board has commitments to parents/guardians, all members of the community, COE employees, and the state of California. The County Board is bound by laws pertaining to public education and the established policies of the COE. To maximize County Board effectiveness and public confidence in its governance, County Board members are expected to govern responsibly and hold themselves to the highest standards of ethical conduct.

The County Board expects its members to work with each other and with the County Superintendent of Schools to ensure that a high-quality education is provided to all students in COE schools and programs and that high-quality services are provided to the community and to the school districts within the jurisdiction of the COE. Each individual County Board member shall:

1. Keep learning and achievement for all students as the primary focus
2. Value, support, and advocate for public education
3. Recognize and respect differences of perspective and style on the County Board and among staff, students, parents/guardians, and the community
4. Act with dignity and understand the implications of demeanor and behavior
5. Keep confidential matters confidential
6. Participate in professional development and commit the time and energy necessary to be an informed and effective leader
7. Understand the distinctions of authority between the County Board and the County Superintendent, and refrain from performing management functions that are the responsibility of the County Superintendent and staff
8. Understand that authority rests with the County Board as a whole and not with individual County Board members

County Board members also shall assume collective responsibility for building unity and creating a positive organizational culture. To operate effectively, the County Board shall have a unity of purpose and:

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1. Keep focused on student learning and achievement, as well as the role of the COE in providing services to school districts and the community

2. Work collaboratively with the County Superintendent

3. Communicate a common vision

4. Operate openly, with trust and integrity

5. Govern in a dignified and professional manner, treating everyone with civility and respect

6. Govern within the law and County Board-adopted policies and procedures

7. Take collective responsibility for the County Board's performance

8. Periodically evaluate its own effectiveness

9. Ensure opportunities for the diverse range of views in the community to inform County Board deliberations

Legal Reference:
EDUCATION CODE
1040 Duties and responsibilities; county boards of education
1042 County boards; authority
35160-35160.1 Authority of county boards
GOVERNMENT CODE
1090 Financial interest in contract
1098 Disclosure of confidential information
1125-1129 Incompatible activities
54950-54962 The Ralph M. Brown Act
87300-87313 Conflict of interest code

Management Resources:
CSBA PUBLICATIONS
Professional Governance Standards for County Boards, October 2014
CALIFORNIA COUNTY BOARDS OF EDUCATION PUBLICATIONS
County Board Member Handbook: A Guide to Effective Governance, 2015
WEB SITES
CSBA: http://www.csba.org
California County Boards of Education: http://www.theccbc.org

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First reading by the Nevada County Board of Education: May 12, 2021
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Board Bylaw
Public Statements

BB 9010
Board Bylaws

The County Board of Education recognizes the responsibility of County Board members in their role as community leaders to participate in public discourse on matters of civic or community interest, including those involving the county office of education (COE), and their right to freely express their personal views. However, to ensure communication of a consistent, unified message regarding COE issues, County Board members are expected to respect the authority of the County Board to choose its spokesperson to communicate its positions and to abide by established protocols.

All public statements authorized to be made on behalf of the County Board shall be made by the County Board president or, if appropriate, by the County Superintendent of Schools or other designated spokesperson.

When speaking for the County Board, the spokesperson is encouraged to exercise restraint and tact and to communicate the message in a manner that promotes public confidence in the County Board's leadership.

When making public statements County Board members shall not disclose confidential information or information received in closed session except when authorized by a majority of the County Board. (Government Code 54963)

When speaking to community groups, members of the public, or the media, individual County Board members should recognize that their statements may be perceived as reflecting the views and positions of the County Board. County Board members have a responsibility to identify personal viewpoints as such and not as the viewpoint of the County Board.

In addition, Board members who participate on social networking sites, blogs, or other discussion or informational sites are encouraged to conduct themselves in a respectful, courteous, and professional manner and to model good behavior for COE students and the community. Such electronic communications are subject to the same standards and protocols established for other forms of communication, and the disclosure requirements of the California Public Records Act may likewise apply to them.

Legal Reference:
GOVERNMENT CODE
6250-6270 California Public Records Act
54960 Actions to stop or prevent violation of meeting provisions

First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education: 
54963  Confidential information in closed session

Management Resources:
WEB SITES
CSBA:  http://www.csba.org
California County Boards of Education: http://www.theccbe.org

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Board Bylaw
Disclosure of Confidential / Privileged Information

BB 9011
Board Bylaws

The County Board of Education recognizes the importance of maintaining the confidentiality of information acquired as part of a County Board member's official duties. Confidential information shall be released only to the extent authorized by law.

Disclosure of Closed Session Information

A County Board member shall not disclose confidential information acquired during a closed session of a board meeting to a person not entitled to receive such information, unless a majority of the County Board has authorized its disclosure. (Government Code 54963)

For these purposes, Confidential information means a communication made in a closed session that is specifically related to the basis for the County Board to meet lawfully in closed session. (Government Code 54963)

The County Board shall not take any action against any person for disclosing confidential information, nor shall the disclosure be considered a violation of the law or County Board policy, when the person is: (Government Code 54963)

1. Making a confidential inquiry or complaint to a district attorney or grand jury concerning a perceived violation of law, including disclosing facts necessary to establish the illegality or potential illegality of a County Board action that has been the subject of deliberation during a closed session

2. Expressing an opinion concerning the propriety or legality of County Board action in closed session, including disclosure of the nature and extent of the illegal or potentially illegal action

3. Disclosing information that is not confidential

Other Disclosures

A County Board member shall not disclose, for pecuniary gain, confidential information acquired in the course of their official duties. Such a disclosure may result in criminal prosecution. For these purposes, confidential information also includes information that is not a public record subject to disclosure under the Public Records Act, information that by law may not be disclosed, or information that may have a material financial effect on the County Board member. (Government Code 1098)

First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education: _______________
Disclosures made to law enforcement officials when reporting improper governmental activities are excepted from this prohibition. (Government Code 1098)

Legal Reference:
EDUCATION CODE
35146 Closed session
EVIDENCE CODE
1040 Privilege for official information
GOVERNMENT CODE
1098 Public officials and employees re confidential information
6250-6270 Inspection of public records
54950-54963 Brown Act, especially:
54956.8 Open meeting laws
54956.9 Closed meeting for pending litigation
54957.5 Public records
54957.7 Reasons for closed session
54963 Confidential information in closed session
ATTORNEY GENERAL OPINIONS
Management Resources:
CSBA PUBLICATIONS
Professional Governance Standards for County Boards, October 2014
WEB SITES
CSBA: http://www.csba.org

1/16
Board Bylaw
Board Member Electronic Communications

BB 9012
Board Bylaws

The County Board of Education recognizes that electronic communication is an efficient and convenient way for County Board members to communicate and expedite the exchange of information within the county office of education (COE) and with members of the public. However, electronic communications shall not be used as a means for the County Board to deliberate outside of an agendized meeting, circumvent the public’s right to access records regarding COE business, or restrict access to a public forum.

A majority of County Board members shall not, outside of an authorized meeting, use a series of electronic communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the County Board. (Government Code 54952.2)

(cf. 9320 - Meetings and Notices)

Examples of permissible electronic communications concerning COE business include, but are not limited to, dissemination of County Board meeting agendas and agenda packets, reports of activities from the County Superintendent of Schools, and reminders regarding meeting times, dates, and places.

To avoid inadvertently violating the prohibition of law against a serial meeting, a County Board member shall not forward any comments on an electronic communication received from another member regarding an issue within the subject matter jurisdiction of the County Board to any other member.

County Board members may engage in separate conversations or communications with members of the public on a social media platform to answer questions, provide information, or solicit information regarding a matter that is within the subject matter jurisdiction of the County Board, as long as a majority of the County Board does not use the platform to discuss among themselves any business of a specific nature that is within the subject matter jurisdiction of the County Board. A County Board member is prohibited from responding directly to any communication from other County Board members regarding matters that are within the subject matter jurisdiction of the County Board or using digital icons (e.g., "likes" or emojis) to express reactions to communications made by other County Board members. (Government Code 54952.2)

Whenever a County Board member uses a social media platform to communicate with the public about COE business or County Board activities, the County Board member shall not block access to a member of the public based on the viewpoint expressed by that individual.

First reading by the Nevada County Board of Education: May 12, 2021
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County Board members may use electronic communications to discuss matters that are outside
the jurisdiction of the County Board, regardless of the number of members participating in the
discussion.

(cf. 9010 - Public Statements)

When communicating electronically, County Board members shall make every effort to adhere
to the same standards and protocols established for other forms of communication. A County
Board member may respond to an electronic communication received from a member of the
community and should make clear that the response does not necessarily reflect the views of the
County Board as a whole. As appropriate, complaints or requests for information shall be
forwarded to the County Superintendent so that the issue may receive proper consideration and
be handled through the appropriate COE process. Communication received from the media
shall be forwarded to the County Board president and the County Superintendent.

(cf. 1112 - Media Relations)
(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 1312.4 - Williams Uniform Complaint Procedures)
(cf. 9005 - Governance Standards)
(cf. 9121 - President)

To the extent possible, electronic communications regarding any County Board business shall be
transmitted through a COE-provided device or account. When any such communication is
transmitted through a County Board member's personal device or account, the County Board
member shall copy the communications to a COE electronic storage device for easy retrieval.

Legal Reference:
EDUCATION CODE
1011 Time and place of meetings
GOVERNMENT CODE
6250-6270 California Public Records Act
1135 State programs and activities, discrimination
54950-54963 The Ralph M. Brown Act, especially:
54952.2 Meeting, defined
54953 Meetings to be open and public; attendance
54954.2 Agenda posting requirements, county board actions
COURT DECISIONS
Cal. September 26, 2019)
Knight First Amendment Institute at Columbia University v. Trump, 928 F.3d 226 (2019)
City of San Jose v. Superior Court, (2017) 2 Cal.5th 608

First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education:________________
Management Resources:
CSBA PUBLICATIONS
The Brown Act: School Boards and Open Meeting Laws, rev. 2019
Legal Alert: Tips for Governing Boards in Response to Public Records Act Ruling on Electronic Communications, March 2017
ATTORNEY GENERAL PUBLICATIONS
The Brown Act: Open Meetings for Legislative Bodies, 2003
WEB SITES
CSBA: http://www.csba.org
CSBA GAMUT Meetings:
http://www.csba.org/ProductsAndServices/AllServices/GamutMeetingsPolicy
California Attorney General's Office: http://oag.ca.gov

(1/16 7/18) 1/21

First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education: __________________
Board Bylaw
Organization

BB 9100
Board Bylaws

The County Board of Education shall hold an annual organizational meeting, which shall be the first meeting on or after the second Friday in December. (Education Code 1009)

(cf. 9220 - Governing Board Elections)

At the organizational meeting, the County Board shall:

1. Elect a president and, as applicable, other officers from its members through a process that shall not involve voting by secret ballot or the mail ballot

(cf. 9121 - President)
(cf. 9320 - Meetings and Notices)

2. Announce the County Superintendent of Schools as secretary and executive officer of the County Board

3. Authorize signatures

4. Develop a schedule of regular meetings for the year

5. Develop a County Board calendar for the year stating the time when important governance matters will be addressed

6. Designate County Board members to serve on County Board standing committees and, as appropriate, to represent the County Board on interagency committees of which the County Board is a member or to which the County Board is invited to participate

(cf. 9130 - Board Committees)
(cf. 9140 - Board Representatives)

Legal Reference:
EDUCATION CODE
1007 Elections
1009 Annual organizational meeting; date and notice
1010 County Superintendent- ex-officio secretary and executive officer

First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education: _______________
1011  Regular meetings
GOVERNMENT CODE
54950-54963 Ralph M. Brown Act, open meeting laws
ATTORNEY GENERAL OPINIONS

Management Resources:
WEB SITES
CSBA:  http://www.csba.org
California County Boards of Education: http://www.thecbbe.org

1/16  (1/19)
Board Bylaw
President

BB 9121
Board Bylaws

The County Board of Education shall elect a president from among its members to provide leadership on behalf of the County Board and the educational community it serves.

(cf. 9000 - Role of the Board)
(cf. 9005 - Governance Standards)
(cf. 9100 - Organization)

To ensure that County Board meetings are conducted in an efficient, transparent, and orderly manner, the president shall:

1. Call such meetings of the County Board as deemed necessary, giving notice as required by law

(cf. 9320 - Meetings and Notices)
(cf. 9321 - Closed Session)

2. Work with the County Superintendent of Schools, as secretary to the County Board, on the preparation of County Board meeting agendas

(cf. 9322 - Agenda/Meeting Materials)

3. Call the meeting to order at the appointed time and preside over the meeting

4. Announce the business to come before the County Board in its proper order

5. Work to ensure the County Board's compliance with Brown Act requirements and County Board bylaws related to the conduct of meetings

6. Recognize persons who desire to speak and protect the speaker who has the floor from disturbance or interference

7. Facilitate the County Board's effective deliberation, ensuring that each County Board member has an opportunity to participate in the deliberation and that the discussion remains focused

8. Rule on issues of parliamentary procedure

First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education: ____________
9. Put motions to a vote, and clearly state the results of the vote

(cf. 9323 - Meeting Conduct)

The president shall have the same rights as other members of the County Board, including the right to discuss and vote on all matters before the County Board.

The president shall perform other duties in accordance with law and County Board policy, including, but not limited to:

1. Signing all instruments, acts, orders, and resolutions necessary to comply with legal requirements and carry out the will of the County Board

2. Working with the County Superintendent or designee to ensure that County Board members have necessary materials and information

3. Appointing members of the County Board to fill the vacant seats of a school district board when a majority of those seats are vacant (Education Code 5094)

4. Subject to County Board approval, appointing and dissolving all committees

(cf. 9130 - Board Committees)

5. Subject to County Board approval, appointing County Board members to serve as representatives on committees on matters of concern to the County Board, the county office of education, or the districts, schools, and students within its jurisdiction

6. Representing the County Board as spokesperson

(cf. 1112 - Media Relations)

7. Leading the County Board's advocacy efforts to build support within the local community and at the state and national levels

The president shall participate in the California School Boards Association's Board President's Workshop and other professional development opportunities to enhance leadership skills.

(cf. 9240 - Board Training)

When the president resigns or is absent, the vice president/clerk shall perform the president's duties. When both the president and clerk are absent, the County Board shall choose a president pro tempore to perform the president's duties.
Legal Reference:
EDUCATION CODE
1009 Annual organization of the board
1012 Special meetings
5094 Power to fill district board vacancies
GOVERNMENT CODE
54950-54963 Ralph M. Brown Act

Management Resources:
CSBA PUBLICATIONS
Call to Order: A Blueprint for Great Board Meetings, rev. 2015
Professional Governance Standards for County Boards, October 2014
CALIFORNIA COUNTY BOARDS OF EDUCATION PUBLICATIONS
A Guide to Effective Governance, February 27, 2015
WEB SITES
CSBA: http://www.csba.org
California County Boards of Education: http://www.thecbbe.org

(1/16) 1/19

First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education: ____________
Board Bylaw
Attorney

BB 9124
Board Bylaws

The County Board of Education recognizes that the complex legal environment in which it discharges its functions creates the need for sound and dependable legal services and advice. The County Board also recognizes that a County Superintendent of Schools is not limited by statute as to what legal services they may contract with legal counsel to perform.

The County Board may arrange to obtain legal services and advice in accordance with law.

General Legal Services and Advice

As authorized by law, the County Board will work with the County Superintendent to appoint a shared legal counsel. Subject to County Board approval, the County Superintendent may hire and fix the compensation to be paid to an independent contractor or a law firm to serve as shared legal counsel for the County Board and County Superintendent. When the proposed appointee is an employee of the County Superintendent, the County Superintendent shall fix their compensation and shall be responsible for their evaluation as an employee.

If the County Board and County Superintendent cannot agree on the appointment of a shared legal counsel, the County Board shall permit the County Superintendent to appoint the shared legal counsel. The shared legal counsel shall provide general legal services and advice to the County Board except when the County Board decides to exercise its right to seek special legal services and advice pursuant to Education Code 1042.

The shared legal counsel must be admitted to practice law in California but is not required to have any certification qualifications. (Education Code 35041.5)

The duties of the shared legal counsel may include:

1. Rendering legal advice to the County Board, County Superintendent, and county office of education employees and officers as appropriate

2. Serving the County Board and County Superintendent in the preparation and conduct of school district litigation and administrative proceedings

3. Rendering advice in relation to school bond and tax increase measures and preparing all legal papers and forms necessary for the voting of school bond and tax increase measures in the district(s).

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4. Rendering administrative duties as may be assigned by the County Superintendent or by the County Board

The County Board may request to have shared legal counsel attend a board meeting to provide legal advice or to prepare a written legal opinion on issues within the jurisdiction of the County Board including, but not limited to, expulsion appeals, charter school petitions and appeals, interdistrict transfer appeals, open meeting laws, real property transactions, the county office budget, and the county office local control accountability plan.

The County Board may consult with the shared legal counsel on matters affecting the operations of the County Board. The County Board may consult with the shared legal counsel as a group. The County Board also may authorize a specific County Board member to consult with the shared legal counsel on behalf of the County Board. Any individual County Board member who consults with the shared legal counsel on behalf of the County Board shall report the conversation to the County Board and when requested, the shared legal counsel shall provide their advice or opinion directly to the County Board. Consultation with the shared legal counsel shall occur in open session except when closed session is authorized by law. (Government Code 54962)

Special Legal Services and Advice

The County Board may contract with a trained, experienced, and competent legal counsel other than the shared legal counsel, to furnish special services and advice in any of the following situations:

1. When, for reasons beyond the County Board's control, the shared legal counsel has a conflict of interest or has failed to render timely advice in a particular matter

2. The services being sought by the County Board are in addition to those usually, ordinarily and regularly obtained from the shared legal counsel

3. The County Board desires a second legal opinion in a particular matter

In such situations, the County Board shall fix the compensation to be paid for the special services or advice, and may pay such compensation from any available funds. (Education Code 1042)

Legal Reference:
EDUCATION CODE
1042 County boards: authority
17150 Revenue bonds
35041.5 Legal counsel: Relieving duties of county counsel and district attorney
GOVERNMENT CODE
814-895.8 Liability of public entities and public employees
First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education: _________
Management Resources:
CSBA PUBLICATIONS
WEB SITES
CSBA: http://www.csba.org
California County Boards of Education: http://www.thecbbe.org
California County Superintendents Educational Services Association: http://ccsesa.org
Education Legal Alliance: http://www.csba.org/Advocacy/EducationLegalAlliance.aspx

5/17
Board Bylaw
Board Committees

BB 9130
Board Bylaws

The County Board of Education may establish Board committees on matters whenever it determines that such a committee is within its jurisdiction and would benefit the county office of education (COE). The County Board shall define the duties, responsibilities, authority, and term of a committee at the time of the committee’s establishment. Unless specifically authorized by the County Board to act on its behalf, such committees shall act in an advisory capacity only.

The County Board president shall appoint all committees with County Board approval.

Whenever so charged, County Board committees may actively seek input and participation by parents/guardians, staff, community, and students and may consult with local public boards and agencies.

At the request of the County Board, the County Superintendent of Schools may serve and/or designate or nominate any COE staff member to serve as an advisor to or as a non-voting member of a County Board committee.

Committee Meetings

County Board committees, other than advisory committees with less than a majority of Board members as discussed below, shall provide public notice of their meetings and conduct these meetings in accordance with state open meeting laws. An agenda of any such committee meeting shall be posted not less than 24 hours prior to the meeting. Meetings of advisory committees or standing committees for which an agenda is posted at least 72 hours in advance of the meeting shall be considered as regular meetings of the committee for purposes of the Brown Act. (Government Code 54954)

Standing committees with continuing subject matter jurisdiction include, but are not limited to, those which at the County Board’s request are responsible for providing advice on finance, policy, governmental relations, curriculum development, and program evaluation. An ad hoc committee formed for a limited term and charged with accomplishing a specific task in a short period of time is not a standing committee. Advisory committees composed solely of less than a quorum of the members of the County Board are not subject to open meeting laws unless they are standing committees that have a continuing subject matter jurisdiction or a meeting schedule established by the County Board. (Government Code 54952)

When a majority of the members of the County Board attend an open and noticed meeting of a

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standing committee, the County Board members who are not members of the standing committee shall attend only as observers. (Government Code 54952.2)

Committee Reports and Recommendations

County Board committees shall report their activities and/or recommendations to the County Board at an open meeting of the County Board, except in matters on which a closed session is required or allowed by law.

When an item has already been considered at a public meeting by a County Board committee composed exclusively of County Board members, and the meeting provided for public comment on the item before or during the committee's consideration of the item, the County Board may or may not provide for additional public comment on the item at a subsequent County Board meeting. Public comment shall be afforded, however, if the County Board determines that the item has been substantially changed since it was heard by the committee. (Government Code 54954.3)

Legal Reference:
EDUCATION CODE
1040 Duties and responsibilities; county boards of education
1042 County boards; authority
GOVERNMENT CODE
54952 Legislative body, definition
54952.2 Definition of meeting
54954 Time and place of regular meetings; special meetings; emergencies
54954.3 Opportunity for public to address legislative body
54956 Special meeting notices
54956.5 Emergency meeting notices
ATTORNEY GENERAL OPINIONS

Management Resources:
WEB SITES
CSBA: http://www.csba.org
California County Boards of Education: http://www.theccbe.org

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Board Bylaw
Board Representatives

BB 9140
Board Bylaws

The County Board of Education recognizes that effective performance of its community leadership responsibilities may require its participation on various committees on matters of concern to the County Board, the county office of education (COE), or the districts, schools, and students within its jurisdiction. The County Board may appoint any of its members to serve as its representative on a committee of another public agency or organization of which the County Board is a member or to which the County Board is invited to participate.

If a committee discusses a topic on which the County Board has taken a position, the County Board member shall express the position of the County Board. When contributing their own ideas or opinions, the representative shall very clearly indicate that they are expressing their individual idea or opinion and not the opinions of the County Board.

When making such appointments, the County Board shall clearly specify the authority and responsibilities of the representative(s), including, but not limited to, reporting back to the County Board regarding committee activities and/or actions. County Board representatives shall not exercise the authority of the County Board without prior County Board approval.

Legal Reference:
EDUCATION CODE
1040-1047 Duties of county boards of education
35160-35160.2 Authority of governing boards
GOVERNMENT CODE
54952.2 Meetings
Management Resources:
WEB SITES
CSBA: http://www.csba.org
California County Boards of Education: http://www.theccbe.org

1/16

First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education: ____________
Board Bylaw
Limits Of Board Member Authority

BB 9200
Board Bylaws

The County Board of Education recognizes that it has authority only as unit and that a County Board member has no individual authority. County Board members shall hold the education of students above any partisan principle, group interest, or personal interest.

Unless agreed to by the County Board as a whole, individual members of the County Board shall not exercise any authority with respect to any matter within the jurisdiction of the County Board. In appropriate circumstances individual County Board members may independently submit requests for information to the secretary of the County Board.

Individual County Board members do not have the authority to resolve complaints. Any County Board member approached directly by a person with a complaint should refer the complainant to the County Superintendent or designee so that the problem may receive proper consideration and be handled through the appropriate process. For the purpose of requesting information, County Board members shall also refer County Board-related correspondence to the president and the secretary of the County Board for dissemination to the rest of the County Board or placement on the agenda, as appropriate.

A County Board member whose child is attending a school within the jurisdiction of the county office of education (COE) should be aware of their role as a County Board member when interacting with COE employees about their child. The County Board member should inform the County Superintendent before volunteering in their child's classroom.

Legal Reference:
EDUCATION CODE
200-262.4 Prohibition of discrimination
1040-1042 Duties and responsibilities
35160-35160.2 Powers and duties
51101 Rights of parents/guardians
GOVERNMENT CODE
54950-54962 The Ralph M. Brown Act, especially:
54952.1 Member of a legislative body of a local agency
54952.7 Copies of chapter to members of legislative body

Management Resources:
CSBA PUBLICATIONS

First reading by the Nevada County Board of Education: May 12, 2021
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Board Bylaw
Governing Board Elections

BB 9220
Board Bylaws

The County Board of Education shall consist of 5 board members whose terms shall be staggered so that, as nearly as practicable, one half of the members shall be elected at each regular County Board election. (Education Code 1000, 1007)

Election procedures shall be followed in accordance with state and federal law.

Board Member Qualifications

Any person other than the County Superintendent of Schools, a member of the county office of education (COE) staff, or an employee of a school district that is within the jurisdiction of the County Board is eligible to be a member of the County Board if that person is an elector of the trustee area to be represented and is not legally disqualified from holding civil office. (Education Code 1000, 1006)

Any person who has been convicted of a felony involving the giving, accepting, or offering of a bribe, embezzlement or theft of public funds, extortion, perjury, or conspiracy to commit any such crime, under California law or the law of another state, the United States of America, or another country, is not eligible to be a candidate for office or be elected as a County Board member unless granted a pardon in accordance with law. (Elections Code 20)

The County Board encourages all candidates to become knowledgeable about the role of the County Board. Upon request, all candidates shall be provided with information that will enable them to understand the responsibilities and expectations of being a County Board member, including information regarding available workshops, seminars, and/or training, the county election official’s contact information, and general information about school programs, COE operations, and County Board responsibilities.

(cf. 9230 - Orientation)
(cf. 9240 - Board Training)

Election Date

To reduce costs associated with conducting elections, the election of County Board members shall be consolidated with the local municipal or statewide primary or general election in accordance with a County Board resolution approved by the County Board of Supervisors. (Elections Code 1302, 10404.5)

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Term of Office

The term of office for members elected in regular elections shall be four years, commencing on the second Friday in December following their election. (Education Code 1007, 5017)

A member whose term has expired shall continue to discharge the duties of the office until a successor has qualified by taking the oath of office. (Government Code 1302, 1360)

Campaign Conduct

All candidates, including current County Board members running as incumbents, shall abide by local, state, and federal requirements regarding campaign donations, funding, and expenditures.

In order to help protect the public's trust in the electoral process as well as the public's confidence in the County Board and the COE, the County Board encourages all candidates to sign and adhere to the principles in the Code of Fair Campaign Practices pursuant to Elections Code 20440.

Statement of Qualifications

On the 125th day prior to the day fixed for the general election, the County Board secretary or designee shall deliver a notice, bearing the secretary's signature and seal, to the county elections official describing both of the following: (Elections Code 10509)

1. The elective offices of the County Board to be filled at the general election and which offices, if any, are for the balance of an unexpired term

2. Whether the County Board or the candidate is to pay for the publication of a statement of qualifications pursuant to Elections Code 13307

Candidates for the County Board may submit a candidate statement to the elections official for inclusion in the voter's pamphlet. Candidate statements shall be limited to no more than 200 words. (Elections Code 13307)

The County Board shall assume no part of the cost of printing, handling, translating, mailing, or electronically distributing candidate statements filed pursuant to Elections Code 13307. As a condition of having candidate statements included in the voter's pamphlet, the County Board may require candidates to pay their estimated pro rata share of these costs to the County Board in advance pursuant to Elections Code 13307.

Tie Votes in Board Member Elections

Whenever a tie makes it impossible to determine which of two or more candidates has been elected to the County Board, the County Board shall immediately notify the candidates who received the tie votes of the time and place where the candidates or their representatives should First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education:
appear before the County Board. At that time the County Board shall determine the winner by lot. (Education Code 5016)

Legal Reference:
EDUCATION CODE
1000 Composition, and trustee area, county board of education
1002 Trustee area boundaries and membership changes
1006 Qualifications for holding office, county board of education
1007 Elections
1017 Expiration of terms
5000-5033 Elections
5205-5231 Elections
5300-5304 General provisions (conduct of elections)
5320-5329 Order and call of elections
5340-5345 Consolidation of elections
5360-5363 Election notice
5380 Compensation (of election officer)
5390 Qualifications of voters
5420-5426 Cost of elections
5440-5442 Miscellaneous provisions
ELECTIONS CODE
20 Public office eligibility
321 Elector
1302 Local elections
2201 Grounds for cancellation
4000-4004 Elections conducted wholly by mail
10400-10418 Consolidation of elections
10509 Notice of election by secretary
10600-10604 School district elections
13307 Candidate's statement
13309 Candidate's statement, indigence
14025-14032 California Voting Rights Act
20440 Code of Fair Campaign Practices
GOVERNMENT CODE
1021 Conviction of crime
1302 Continuance in office until qualification of successor
1303 Exercising functions of office without having qualified
1360 Necessity of taking constitutional oath
12940 Nondiscrimination, Fair Employment and Housing Act
81000-91014 Political Reform Act
PENAL CODE
68 Bribe
74 Acceptance of gratuity

First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education: ___________
424 Embezzlement and falsification of accounts by public officers
661 Removal for neglect or violation of official duty

CALIFORNIA CONSTITUTION
Article 2, Section 2 Voters, qualifications
Article 7, Section 7 Conflicting offices
Article 7, Section 8 Disqualification from office

UNITED STATES CODE, TITLE 52
10301-10508 Voting Rights Act

COURT DECISIONS
Shelby County v. Holder, (2013) 133 S. Ct. 2612
Sanchez v. City of Modesto, (2006) 51 Cal.Rptr.3d 821

ATTORNEY GENERAL OPINIONS

Management Resources:
WEB SITES
CSBA: http://www.csba.org
California County Boards of Education: http://www.theccbe.org
California Secretary of State's Office: http://www.ss.ca.gov
Institute for Local Self Government: http://www.ca-ilg.org

(1/16) 7/19

First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education: __________
Board Bylaw

Resignation

BB 9222

Board Bylaws

A member of the County Board of Education who wishes to resign from office shall file a written resignation with the County Superintendent of Schools.  (Education Code 1008, 5090)

The resignation shall become effective when filed with the County Superintendent, except when a deferred effective date is specified in the resignation.  The effective date may not be deferred for more than 60 days after the resignation is filed with the County Superintendent.  (Education Code 5090, 5091)

Once filed, a written resignation, whether specifying a deferred effective date or otherwise, shall be irrevocable.  (Education Code 5090)

Any County Board member whose resignation is filed with a deferred effective date shall, until the effective date of the resignation, continue to exercise all the powers of the office, except that the resigning County Board member shall not have the right to vote in a provisional appointment to fill the vacancy that will thereby result.  (Education Code 1008, 5091, 35178)

(cf. 9223 - Filling Vacancies)

Any County Board member who resigns shall, within 30 days of leaving office, file a revised Statement of Economic Interest/Form 700 covering the period of time between the closing date of the last statement required to be filed and the date the County Board member leaves office.  (Government Code 87302, 87500)

(cf. 9270 - Conflict of Interest)

Legal Reference:
EDUCATION CODE
1008    Vacancies; procedure for filing
5090-5095  Vacancy on the board
35178    Resignation with deferred effective date
GOVERNMENT CODE
1770    Vacancy on the board
87300-87313    Conflict of interest code
87500    Statements of economic interests

Management Resources:

First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education: __________________________
Nevada County Board of Education – Board Bylaws

CSBA PUBLICATIONS
Filling a Board Vacancy, rev. December 2010
WEB SITES
CSBA: http://www.csba.org
California County Boards of Education: http://www.thecbce.org

(1/16) 1/19

First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education: __________
Events Causing a Vacancy

A vacancy on the County Board of Education may occur for any of the following events:

1. The death of an incumbent (Government Code 1770)

2. The adjudication pursuant to a quo warranto proceeding declaring that an incumbent is physically or mentally incapacitated due to disease, illness, or accident and that there is reasonable cause to believe that the incumbent will not be able to perform the duties of their office for the remainder of their term (Government Code 1770)

3. A County Board member's resignation (Government Code 1770)

4. A County Board member's removal from office, including by recall (Elections Code 11384; Government Code 1770)

5. A County Board member's ceasing to inhabit the trustee area which they represent on the County Board (Government Code 1770)

6. A County Board member's absence from the state for more than 60 days, except in the following situations: (Government Code 1064, 1770)
   a. Upon County Board business with the approval of the County Board
   b. With the consent of the County Board for an additional period not to exceed a total absence of 90 days

       In the case of illness or other urgent necessity, and upon a proper showing thereof, the time limited for absence from the state may be extended by the County Board.
   c. For federal military deployment, not to exceed an absence of a total of six months, as a member of the armed forces of the United States or the California National Guard

       If the absence of the County Board member for military deployment exceeds six months, the County Board may approve an additional six-month absence upon a showing that there is a reasonable expectation that the member will return within the second six-month period, and the County Board may appoint an interim member to serve in their absence.

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If two or more members of the County Board are absent by reason of military
deployment, and those absences result in the inability to establish a quorum at a regular meeting,
the County Board may immediately appoint one or more interim members as necessary to enable
the County Board to conduct business and discharge its responsibilities. The term of an interim
member appointed in these circumstances shall not extend beyond the return of the absent
County Board member or beyond the next regularly scheduled election for that office, whichever
occurs first.

7. A County Board member's ceasing to discharge the duties of their office for the period of
three consecutive months, except when prevented by illness or when absent from the state
without the permission required by law  (Government Code 1770)

8. A County Board member's conviction of a felony or any offense involving a violation of
their official duties or conviction of a designated crime resulting in a forfeiture of office
(Government Code 1770, 3000-3003)

9. A County Board member's refusal or neglect to file their required oath within the time
prescribed  (Government Code 1770)

10. The decision of a competent tribunal declaring void a County Board member's election or
appointment  (Government Code 1770)

11. A County Board member's commitment to a hospital or sanitarium as a drug addict,
dipsomaniac, inebriate, or stimulant addict by a court of competent jurisdiction, in which case
the office shall not be deemed vacant until the order of commitment has become final
(Government Code 1770)

12. A "failure to elect" in which no candidate or an insufficient number of candidates have
filed to run for a County Board seat(s)  (Education Code 5090, 5326, 5328)

Timelines for Filling a Vacancy

When a vacancy occurs, the County Board shall take the following action, as appropriate:
(Education Code 1008)

1. When a vacancy occurs within four months of the end of a County Board member's term,
the County Board shall take no action.  (Education Code 5093)

2. When a vacancy occurs more than four months before the end of a County Board
member's term, the County Board shall either order an election or make a provisional
appointment within 60 days of the date of the vacancy or the filing of the member's deferred
resignation unless a special election as described in item #3 below is required. (Education Code
5091, 5093)

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3. When a vacancy occurs between six months and 130 days before a regularly scheduled County Board election but the vacant position is not scheduled to be filled during that election, a special election to fill the position shall be consolidated with the regular election. The person elected shall take office at the first regularly scheduled County Board meeting following the certification of the election and shall serve until the end of the term of the position which they were elected to fill. (Education Code 5093)

Eligibility

In order to be appointed or elected to fill a vacancy on the County Board, a person must meet the eligibility requirements specified in Education Code 1000 and 1006 and described in Board Bylaw 9220.

Provisional Appointments

When a special election is not required, the County Board is authorized by law to make a provisional appointment to fill a vacancy on the County Board. Before making a provisional appointment, the County Board shall advertise in the local media to solicit candidate applications or nominations. The County Board shall ensure that applicants are eligible for County Board membership, interview the candidates at a public meeting, accept oral or written public input, and select the provisional appointee by a majority vote.

The person appointed shall be afforded all the powers and duties of a County Board member immediately upon appointment and shall hold office until the next regularly scheduled election for County Board members. (Education Code 5091)

Within 10 days after the appointment is made, the County Board shall post notices of the actual vacancy, or the filing of a deferred resignation, and the provisional appointment. The notice shall be published in the local newspaper pursuant to Government Code 6061 and posted in at least three public places within the jurisdiction of the County Board. (Education Code 5092)

The notice shall contain: (Education Code 5092)

1. The date that the vacancy occurred or the date of the filing of, and the effective date of, the resignation

2. The full name of the provisional appointee

3. The date of appointment

4. A statement notifying the voters that unless a petition calling for a special election pursuant to Education Code 5091 is filed in the office of the County Superintendent within 30 days of the provisional appointment, the appointment shall become effective

Appointment Due to Failure to Elect
First reading by the Nevada County Board of Education: May 12, 2021
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When a vacancy occurs because no candidate or an insufficient number of candidates have been nominated (i.e., a failure to elect) and an election will not be held, the County Board shall appoint a qualified person to the office. This appointment shall be made at a meeting prior to the day fixed for the election and the appointee shall be seated at the organizational meeting as if elected at the election. (Education Code 5328)

When an appointment is being made because of a failure to elect, the County Board shall publish a notice once in a newspaper of general circulation published in the county, or if no such newspaper exists, in a newspaper having general circulation within the county. This notice shall state that the County Board intends to make an appointment and shall inform persons of the procedure available for applying for the appointment. (Education Code 5328.5)

The procedure for selecting and interviewing candidates shall be the same as the procedures specified above in the "Provisional Appointments" section.

Legal Reference:
EDUCATION CODE
1000 Composition and trustee area, county board of education
1006 Qualifications for holding office, county board of education
1007 Elections
5090-5095 Vacancies
5300-5304 General provisions (conduct of elections)
5320-5329 Order and call of election
5340-5345 Consolidation of elections
ELECTIONS CODE
10600-10604 School district elections
11381-11386 Candidates for recall
GOVERNMENT CODE
1064 Absence from state
1770 Vacancies: definition
3000-3003 Forfeiture of office
3060-3075 Removal other than by impeachment
6061 One time notice
54950-54963 The Ralph M. Brown Act
PENAL CODE
88 Bribery, forfeiture from office
UNITED STATES CODE, TITLE 18
704 Military medals or decorations
ATTORNEY GENERAL OPINIONS

Management Resources:
First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education: __________________
Nevada County Board of Education – Board Bylaws

CSBA PUBLICATIONS
Filling a Board Vacancy, rev. May 2012
WEB SITES
CSBA: http://www.csba.org
California State Attorney General's Office, Quo Warranto Applications:
http://ag.ca.gov/opinions/quo_warranto.php

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First reading by the Nevada County Board of Education: May 12, 2021
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Board Bylaw
Oath or Affirmation

BB 9224
Board Bylaws

Prior to entering upon the duties of their office, all members of the County Board of Education shall take the oath or affirmation required by law. (California Constitution, Article 20, Section 3; Government Code 1360)

The oath may be administered and certified by any County Board member, the secretary or assistant secretary to the County Board, the County Superintendent of Schools, the Superintendent of Public Instruction, or any other person authorized in Education Code 60 or Government Code 1225.

The executed oath shall be filed with the County Clerk. (Government Code 1363)

Legal Reference:
EDUCATION CODE
60 Persons authorized to administer and certify oaths
GOVERNMENT CODE
1225 Right to administer and certify oaths
1303 Misdemeanor for failure to take oath
1360-1369 Oath of office
3100-3109 Oath or affirmation of allegiance
CALIFORNIA CONSTITUTION
Article 20, Section 3 Oath of office
COURT DECISIONS
Chilton v. Contra Costa Community College District (1976) 55 Cal. App. 3d 544
Vogel v. County of Los Angeles (1967) 68 Cal. 2d 18, 22

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First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education: _______________
Board Bylaw
Orientation

BB 9230
Board Bylaws

The County Board of Education recognizes the importance of providing all newly elected or appointed County Board members with support and information to enhance their effectiveness in the performance of the responsibilities of their office.

(cf. 9000 - Role of the Board)
(cf. 9220 - Governing Board Elections)
(cf. 9223 - Filling Vacancies)

As soon as possible following their election or appointment, incoming County Board members may be provided an orientation designed to build their knowledge of county office of education (COE) programs and an understanding of the responsibilities of their position. Such orientation may include the provision of information, support, and/or training related to County Board functions, policies, protocols, and standards of conduct. Orientation sessions shall be held during an open meeting of the County Board.

(cf. 9320 - Meetings and Notices)

Upon their election or appointment, incoming County Board members shall be provided a copy of the Brown Act and informed that, pursuant to Government Code 54952.1, they must conform to the Act's requirements as if they had already assumed office.

Resources that may be useful for County Board members shall be identified for newly elected or appointed County Board members. Such resources may include, but are not limited to, County Board bylaws related to the limits of individual County Board member authority, the conduct of County Board meetings, and other County Board operations; governance standards for ethical conduct; legal requirements related to conflict of interest and prohibited political activity; protocols for speaking with COE staff, members of the public, and the media; and publications on effective governance practices.

(cf. 1112- Media Relations)
(cf. 9005 - Governance Standards)
(cf. 9010 - Public Statements)
(cf. 9011 - Disclosure of Confidential/Privileged Information)
(cf. 9012 - Board Member Electronic Communications)
(cf. 9200 - Limits of Board Member Authority)
(cf. 9270 - Conflict of Interest)
(cf. 9323 - Meeting Conduct)

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In addition, incoming County Board members shall be provided specific background information regarding the COE, including, but not limited to, vision and goals statements, the local control and accountability plan and other comprehensive plans, student demographic data, student achievement data, COE policy manual, COE budget, and minutes of recent County Board meetings.

(cf. 0460 - Local Control and Accountability Plan)

Incoming County Board members shall be provided information about trainings and professional development opportunities, available to them at COE expense, that address the needs of individual board members and the County Board as a whole, including, but not limited to, the California School Boards Association's Orientation for New Trustees, Institute for New and First-Term Board Members, and other such workshops and conferences.

Legal Reference:
EDUCATION CODE
1095 Membership in organizations
33360 Department of Education and statewide association of school district boards; annual workshops
33362-33363 Reimbursement of expenses; board member or member-elect
GOVERNMENT CODE
54950-54963 The Ralph M. Brown Act, especially:
54952.1 Member of a legislative body
54952.2 Open meeting laws; posting agenda; board actions
54952.7 Copies of Brown Act to board members

Management Resources:
CSBA PUBLICATIONS
Call to Order, A Blueprint for Great Board Meetings, 2015
Professional Governance Standards for County Boards, October 2014
CALIFORNIA COUNTY BOARDS OF EDUCATION PUBLICATIONS
A Guide to Effective Governance, February 27, 2015
WEB SITES
CSBA: http://www.csba.org
California County Boards of Education: http://www.theccebe.org

First reading by the Nevada County Board of Education: May 12, 2021
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Board Bylaw
Board Training

BB 9240
Board Bylaws

The County Board of Education believes that its ability to effectively and responsibly govern is essential to promoting student achievement, building positive community relations, and protecting the public interest in county schools. County Board members shall be provided sufficient opportunities for professional development that helps them understand their responsibilities, stay abreast of new developments in education, and develop boardsmanship skills.

(cf. 9000 - Role of the Board)
(cf. 9005 - Governance Standards)
(cf. 9121 - President)

The County Board shall work with the County Superintendent of Schools or designee to provide an orientation to newly elected or appointed County Board members which includes comprehensive information regarding County Board roles, policies, and procedures and the county office of education's (COE) vision and goals, operations, and current challenges. Throughout their first term, County Board members shall continue to participate in additional educational opportunities designed to assist them in understanding the principles of effective governance, including, but not limited to, information on school finance and budgets, student achievement and assessment, community relations, program evaluation, open meeting laws (the Brown Act), conflict of interest laws, and other topics necessary to govern effectively and in compliance with law.

(cf. 9230 - Orientation)

All County Board members are encouraged to continuously participate in advanced training offered by the California School Boards Association and California County Boards of Education in order to reinforce boardsmanship skills and build knowledge related to key education issues. Such activities may include online courses, webinars, webcasts, and in-person attendance at workshops and conferences. In addition, workshops and consultations may be held within the county on issues that involve the entire governance team.

Funds for training shall be budgeted annually for the County Board and each County Board member. In selecting appropriate activities, the County Board and/or individual County Board members shall consider activities that are aligned with the COE’s vision and goals and the needs of the County Board or individual County Board members to obtain specific knowledge and skills. The County Board shall annually develop a training calendar in order to schedule and track training activities and to schedule opportunities for County Board members to report on the

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activities in which they participated.

County Board members may attend a conference or similar public gathering with other County Board members and/or with the County Superintendent or designee in order to develop common knowledge and understanding of an issue or engage in team-building exercises. In such cases, a majority of the County Board members shall not discuss among themselves, other than as part of the scheduled program, business of a specified nature that is within the COE's jurisdiction, so as not to violate the Brown Act open meeting laws pursuant to Government Code 54952.2.

(cf. 9320 - Meetings and Notices)

County Board members shall report orally or in writing on the training activities they attend, for the purpose of sharing the acquired knowledge or skills with the full County Board and enlarging the benefit of the activity to the County Board and COE.

Legal Reference:
EDUCATION CODE
1095 Membership in organizations
GOVERNMENT CODE
54950-54963 The Ralph M. Brown Act, especially:
54952.2 Meeting

Management Resources:
CSBA PUBLICATIONS
Call to Order: A Blueprint for Great Board Meetings, 2015
Professional Governance Standards for County Boards, October 2014
CALIFORNIA COUNTY BOARDS OF EDUCATION PUBLICATIONS
A Guide to Effective Governance, February 27, 2015
WEB SITES
CSBA: http://www.csba.org
California County Boards of Education: http://www.thecbbe.org

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Board Bylaw
Remuneration, Reimbursement and Other Benefits

BB 9250
Board Bylaws

Compensation

Each member of the County Board of Education who attends all of the board meetings in a month may receive the maximum monthly compensation as provided for in Education Code 1090.

On an annual basis, the County Board may increase the compensation of County Board members beyond the limit delineated in Education Code 1090 in an amount not to exceed five percent based on the present monthly rate of compensation. (Education Code 1090)

County Board members are not required to accept payment for meetings attended.

Any County Board member who does not attend all County Board meetings during the month is eligible to receive only a percentage of the monthly compensation equal to the percentage of meetings they attend, unless otherwise authorized by the County Board in accordance with law. (Education Code 1090)

A County Board member may be compensated for meetings they’ve missed when the County Board, by resolution, finds that they were performing designated services for the County Board at the time of the meeting or that they were absent because of illness, jury duty, or a hardship deemed acceptable by the County Board. (Education Code 1090)

Whenever a quorum of the County Board serves as another legislative body which will meet simultaneously or in serial order to a County Board meeting, the County Board clerk or a member of the County Board shall verbally announce the amount of any additional compensation or stipend that each member will be entitled to receive as a result of convening the simultaneous or serial meeting. (Government Code 54952.3)

Reimbursement of Expenses

County Board members shall be reimbursed for actual and necessary expenses for travel, printing, or membership in any state or local organization of governing boards of school districts or county boards of education. County Board members shall also be reimbursed for the actual expenses of attending, with prior approval, meetings or conferences of any society, association, or organization to which the County Board subscribes for membership. (Education Code 1091, 1094-1096)

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Personal expenses shall be the responsibility of individual County Board members. Personal expenses include, but are not limited to, the personal portion of any trip, tips or gratuities, alcohol, entertainment, laundry, expenses of any family member who is accompanying the County Board member on official business, personal use of an automobile, and personal losses and traffic violation fees incurred while on official business.

Health and Welfare Benefits for Current Board Members

County Board members may participate in the health and welfare benefits program provided for county office of education (COE) employees.

Health and welfare benefits for County Board members shall be no greater than that received by nonsafety employees with the most generous schedule of benefits. (Government Code 53208.5)

County Board members who elect to participate shall pay the full cost of premiums.

Legal Reference:
EDUCATION CODE
1090-1096 Stipends and expenses
FAMILY CODE
297-297.5 Rights, protections and benefits under law; registered domestic partners
300 Definition of marriage
GOVERNMENT CODE
8314 Use of public resources
20322 Elective officers; election to become member
20420-20445 Membership in Public Employees' Retirement System; definition of safety employees
53200-53209 Group insurance
54952.3 Simultaneous or serial meetings; announcement of compensation
HEALTH AND SAFETY CODE
1373 Health services plan, coverage for dependent children
INSURANCE CODE
10277-10278 Group and individual health insurance, coverage for dependent children
UNITED STATES CODE, TITLE 26
403 Tax-sheltered annuities
UNITED STATES CODE, TITLE 42
18011 Right to maintain existing health coverage
CODE OF FEDERAL REGULATIONS, TITLE 26
1.403(b)-2 Tax-sheltered annuities, definition of employee
COURT DECISIONS
ATTORNEY GENERAL OPINIONS
First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education: ___________
Management Resources:
INSTITUTE FOR LOCAL GOVERNMENT PUBLICATIONS
Sample Expense and Use of Public Resources Policy Statement, January 2006
INTERNAL REVENUE SERVICE PUBLICATIONS
Tax-Sheltered Annuity Plans (403(b) Plans) for Employees of Public Schools and Certain
Tax-Exempt Organizations, Publication 571, rev. January 2015
WEB SITES
CSBA:  http://www.csba.org
Institute for Local Government: http://www.ca-ilg.org
Internal Revenue Service: http://www.irs.gov
Public Employees' Retirement System: http://www.calpers.ca.gov

1/16
EXHIBIT
Remuneration, Reimbursement and Other Benefits

E 9250
Board Bylaws

RESOLUTION ON BOARD COMPENSATION FOR MISSED MEETINGS

WHEREAS, the __________ County Board of Education appreciates the services provided by members of the County Board and provides compensation for meeting attendance in accordance with Education Code 1090 and Board Bylaw 9250; and

WHEREAS, Education Code 1090 provides that the monthly compensation provided to County Board members shall be commensurate with the percentage of meetings attended during the month unless otherwise authorized by County Board resolution; and

WHEREAS, Education Code 1090 specifies limited circumstances under which the County Board is authorized to compensate a County Board member for meetings they missed; and

WHEREAS, the County Board finds that (name of Board member) did not attend the County Board meeting(s) on (dates) for the following reason(s): (check applicable reasons)

[ ] Performance of designated duties for the County Board during the time of the meeting
[ ] Illness or jury duty
[ ] Hardship deemed acceptable by the County Board

NOW THEREFORE BE IT RESOLVED that the __________ County Board of Education approves full compensation of (name of Board member) for the month of ______.

PASSED AND ADOPTED THIS ____ day of ________, ________ at a regular meeting, by the following vote:

AYES:_____ NOES:_____ ABSENT:_____ ABSTAIN:_____

Attest:

_____________________________  ______________________________
County Board Secretary        County Board President

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Second reading and adoption by the Nevada County Board of Education: __________________
Board Bylaw
Legal Protection

BB 9260
Board Bylaws

Liability Insurance

The County Board of Education shall provide insurance necessary to protect its members against liability for death, personal injury, or damage or loss of property caused by their negligent act or omission when acting within the scope of their office.

Protection Against Liability

No County Board member shall be liable for harm caused by their act or omission when acting within the scope of their responsibilities for the county office of education. The act or omission must be in conformity with federal, state, and local laws and made in furtherance of an effort to control, discipline, expel or suspend a student, or maintain order or control in the classroom or school. (20 USC 6733, 6736)

The protection against liability shall not apply when: (20 USC 6736)

1. The County Board member acted with willful or criminal misconduct, gross negligence, recklessness, or a conscious, flagrant indifference to the harmed person's right to safety.

2. The County Board member caused harm by operating a motor vehicle.

3. The County Board member was not properly licensed, if required, by the state for such activities.

4. The County Board member was found by a court to have violated a federal or state civil rights law.

5. The County Board member was under the influence of alcohol or any drug at the time of the misconduct.

6. The misconduct constituted a crime of violence pursuant to 18 USC 16 or an act of terrorism for which the County Board member has been convicted in a court.

7. The misconduct involved a sexual offense for which the County Board member has been convicted in a court.
Legal Reference:
EDUCATION CODE
35208 Liability insurance
GOVERNMENT CODE
815.3 Intentional torts
820-823 Tort Claims Act
825.6 Indemnification of public entity
1090-1098 Conflicts of interest, prohibitions applicable to specified officers
54950-54963 The Ralph M. Brown Act
87100-89503 Conflicts of interest
UNITED STATES CODE, TITLE 18
16 Crime of violence defined
UNITED STATES CODE, TITLE 20
6731-6738 Teacher Protection Act
COURT DECISIONS
Board Bylaw
Conflict of Interest

BB 9270
Board Bylaws

The County Board of Education desires to maintain the highest ethical standards and help ensure that decisions are made in the best interest of the county office of education (COE) and the public. In accordance with law, County Board members shall disclose any conflict of interest and, as necessary, shall abstain from participating in any decisions or discussions that could affect or be effected by those interests, especially, as prohibited by Government Code 1090, those interests related to contracts. The County Board shall consult legal counsel whenever an actual or potential conflict of interest arises.

The County Board shall adopt a resolution that specifies the terms of its conflict of interest code, designates any consultant positions required to complete conflict of interest reporting, and establishes disclosure categories required for each position. The conflict of interest code must be approved by the appropriate code reviewing body. Upon request by the code reviewing body, the County Board shall review the conflict of interest code and submit any changes to the code reviewing body.

When a change in the conflict of interest code is necessitated due to changed circumstances, such as the hiring of a new consultant in a position that is not already designated in the conflict of interest code or a change to an existing consultant’s scope of work in a manner that changes the consultant’s position to a designated position, the amended code shall be submitted to the code reviewing body within 90 days. (Government Code 87306)

When reviewing and preparing the conflict of interest code, the County Board shall provide members of the community, the County Superintendent of Schools, COE staff, and consultants of the County Board adequate notice and a fair opportunity to present their views. (Government Code 87311)

County Board members shall annually file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories specified in the conflict of interest code. A County Board member who leaves office shall, within 30 days, file a revised statement covering the period of time between the closing date of the last required statement and the date of leaving office. (Government Code 87302, 87302.6)

Conflict of Interest under the Political Reform Act

A County Board member shall not make, participate in making, or in any way use or attempt to use their official position to influence a governmental decision in which they know or has reason to know that they have a disqualifying conflict of interest. A conflict of interest exists if the

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decision will have a "reasonably foreseeable material financial effect" on one or more of the County Board member's "economic interests," unless the effect is indistinguishable from the effect on the public generally or the County Board member's participation is legally required. (Government Code 87100, 87101, 87103; 2 CCR 18700-18709)

A County Board member is involved in making a governmental decision when, acting within the authority of their office or position, they vote on a matter, appoints a person, obligates or commits the County Board to any course of action, or votes to enter into or approve any contractual agreement on behalf of the County Board.  (2 CCR 18704)

A County Board member who has a disqualifying conflict of interest on an agenda item that will be heard in an open meeting of the County Board shall abstain from voting on the matter. Although they may remain on the dais, if they do choose to stay their presence shall not be counted towards achieving a quorum for that matter.  A County Board member with a disqualifying conflict of interest shall not be present during a closed session meeting of the County Board when the decision is considered and shall not obtain or review a recording or any other nonpublic information regarding the issue. (2 CCR 18700)

Conflict of Interest under Government Code 1090 - Financial Interest in a Contract

County Board members shall not be financially interested in any contract made by the County Board and shall not be included in the development, preliminary discussions, negotiations, compromises, planning, reasoning, and specifications and solicitations for bids for such contracts. If a County Board member has such a financial interest, the County Board is barred from entering into the contract.  (Government Code 1090; Klistoff v. Superior Court, (2007) 157 Cal.App. 4th 469)

A County Board member shall not be considered to be financially interested in a contract if they have only a "remote interest" in the contract as specified in Government Code 1091 and if the remote interest is disclosed during a County Board meeting and noted in the official County Board minutes. The affected County Board member shall not vote or debate on the matter or attempt to influence any other County Board member's vote.  (Government Code 1091)

To avoid the appearance of impropriety, County Board members may decide not to participate in any discussion or action involving contracts where their interest is a "noninterest" or "remote interest" as described in Education Code 1091 and 1091.5.

Common Law Doctrine Against Conflict of Interest

A County Board member shall abstain from any official action in which their private or personal interest may conflict with their official duties. The County Board shall consult legal counsel whenever an actual or potential conflict of interest arises.

County Board members shall abstain from voting on personnel matters that uniquely affect relatives. Relative means an adult who is related to the County Board member by blood,
affinity, or adoptive relationship within the third degree.

A relationship within the third degree includes an individual's parents, grandparents, great-grandparents, children, grandchildren, great-grandchildren, brothers, sisters, aunts, uncles, nieces, nephews, and the similar family of the individual's spouse/registered domestic partner unless the individual is widowed or divorced.

Rule of Necessity or Legally Required Participation

On a case-by-case basis and upon advice of legal counsel, a County Board member with a financial interest in a contract may participate in the making of the contract if the rule of necessity or legally required participation applies pursuant to Government Code 87101 and 2 CCR 18705.

Incompatible Offices and Activities

County Board members shall not engage in any employment or activity or hold any office which is inconsistent with, incompatible with, in conflict with, or inimical to the County Board member's duties as an officer of the COE. (Government Code 1099, 1126)

Gifts

County Board members may accept gifts only under the conditions and limitations specified in Government Code 89503 and 2 CCR 18730.

The limitation on gifts does not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays, and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value. (Government Code 89503)

Gifts of travel and related lodging and subsistence shall be subject to the current gift limitation except as described in Government Code 89506.

A gift of travel does not include travel provided by the County Board for its members. (Government Code 89506)

Honoraria

County Board members shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private gathering, in accordance with law. (Government Code 89501, 89502)

The term honorarium does not include: (Government Code 89501)

1. Earned income for personal services customarily provided in connection with a bona fide business, trade, or profession unless the sole or predominant activity of the business, trade, or
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profession is making speeches

2. Any honorarium which is not used and, within 30 days after receipt, is either returned to the donor or delivered to the COE for donation into the general fund without being claimed as a deduction from income for tax purposes.

Legal Reference:
EDUCATION CODE
1006 Qualifications for holding office
35230-35240 Corrupt practices, especially:
FAMILY CODE
297.5 Rights, protections, and benefits of registered domestic partners
GOVERNMENT CODE
1090-1099 Prohibitions applicable to specified officers
1125-1129 Incompatible activities
81000-91014 Political Reform Act of 1974, especially:
82003 Agency definition
82011 Code reviewing body
82019 Definition, designated employee
82028 Definition, gift
82030 Definition, income
82033 Definition, interest in real property
82034 Definition, investment
87100-87103.6 General prohibitions
87200-87210 Disclosure
87300-87313 Conflict of interest code
87500 Statements of economic interests
89501-89503 Honoraria and gifts
91000-91014 Enforcement
PENAL CODE
85-88 Bribes
CODE OF REGULATIONS, TITLE 2
18110-18997 Regulations of the Fair Political Practices Commission, especially:
18700-18707 General prohibitions
18722-18740 Disclosure of interests
18750.1-18756 Conflict of interest codes
COURT DECISIONS
ATTORNEY GENERAL OPINIONS
First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education:__
Management Resources:
CSBA PUBLICATIONS
Conflict of Interest: Overview of Key Issues for Governing Board Members, Fact Sheet, July 2010
FAIR POLITICAL PRACTICES COMMISSION PUBLICATIONS
Can I Vote? A Basic Overview of Public Officials' Obligations Under the Conflict-of-Interest Rules, 2005
INSTITUTE FOR LOCAL GOVERNMENT PUBLICATIONS
Understanding the Basics of Public Service Ethics: Transparency Laws, 2009
WEB SITES
CSBA: http://www.csba.org
Institute of Local Government: http://www.ca-ilg.org

6/16

First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education: ______________
RESOLUTION ADOPTING A CONFLICT OF INTEREST CODE

WHEREAS, the Political Reform Act, Government Code 87300-87313, requires each public agency in California to adopt a conflict of interest code; and

WHEREAS, the Nevada County Board of Education has previously adopted a local conflict of interest code; and

WHEREAS, past and future amendments to the Political Reform Act and implementing regulations may require conforming amendments to be made to the County Board's conflict of interest code; and

WHEREAS, a regulation adopted by the Fair Political Practices Commission, 2 CCR 18730, provides that incorporation by reference of the terms of that regulation, along with an agency-specific appendix designating positions and disclosure categories shall constitute the adoption and amendment of a conflict of interest code in conformance with Government Code 87300 and 87306; and

WHEREAS, the Nevada County Board has recently reviewed its positions, and the duties of each position, and has determined that changes to the current conflict of interest code are necessary; and

WHEREAS, any earlier resolutions, bylaws, and/or appendices containing the County Board's conflict of interest code shall be rescinded and superseded by this resolution and Appendix; and

NOW THEREFORE BE IT RESOLVED that the Nevada County Board of Education adopts the following Conflict of Interest Code including its Appendix of Designated Positions and Disclosure Categories.

PASSED AND ADOPTED THIS _____ day of __________, _______ at a meeting, by the following vote:

AYES: _____ NOES: _____ ABSENT: _____ ABSTAIN: _____
Nevada County Board of Education – Board Bylaws

Attest:

Secretary/President

Conflict of Interest Code of the Nevada County Board of Education

The provisions of 2 CCR 18730 and any amendments to it adopted by the Fair Political Practices Commission, together with the attached Appendix specifying designated positions and disclosure categories, are incorporated by reference and shall constitute the County Board of Education’s conflict of interest code.

County Board members and all other individuals in designated positions shall file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories listed in the attached Appendix. The Statement of Economic Interest shall be filed with the appropriate code reviewing body. The County Board shall make the statements available for public review and inspection.

APPENDIX

Disclosure Categories

1. Category 1: A person designated Category 1 shall disclose:

   a. Interests in real property located entirely or partly within county boundaries, or within two miles of the county boundaries, or of any land owned or used by the County Board.

   b. Investments or business positions in or income from sources which are engaged in the acquisition or disposal of real property within the county, are contractors or subcontractors which are or have been within the past two years engaged in work or services of the type used by the County Board, or manufacture or sell supplies, books, machinery, or equipment of the type used by the County Board.

2. Category 2: A person designated Category 2 shall disclose:

   a. Investments or business positions in or income from sources which are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs.

   b. Investments or business positions in or income from sources which manufacture or sell supplies, books, machinery, or equipment of the type used by the department which the designated person manages or directs.

First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education: ______________
Designated Positions

Designated Position Disclosure Category

County Board Members 1
County Superintendent 1
County Chief Business Official 1
Consultants to the County Board 2

Disclosures for Consultants

Consultants who are hired pursuant to Education Code 1042 may be designated individuals who are required to disclose financial interests as determined on a case-by-case basis. The determination shall be in writing and include a description of the consultant's duties and a statement of the extent of disclosure requirements based upon that description. All such determinations are public records and shall be retained for public inspection along with this conflict of interest code.

A consultant is an individual who, pursuant to a contract with the County Board, makes a governmental decision pursuant to 2 CCR 18700.3.

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First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education: ____________
Board Bylaw

Board Policies

BB 9310

Board Bylaws

The County Board of Education shall adopt written policies to convey its expectations for actions that will be taken by the county office of education (COE), clarify roles and responsibilities of the County Board, and communicate County Board philosophy and positions to students, staff, parents/guardians, and the community.

(cf. 9000 - Role of the Board)

The County Board’s policies shall promote student learning and achievement, provide for consistent and fair treatment of students, and proactively address the provision of equal access to opportunities for all students.

(cf. 0415 - Equity)
(cf. 0460 - Local Control and Accountability Plan)

The County Board recognizes the importance of maintaining a policy manual that is up to date and reflects the mandates of law. No COE policy, bylaw, or administrative regulation, or any portion thereof, shall be operative if it is found to be in conflict with applicable federal or state law or regulations or court decisions. If any portion of a policy is found to be invalid, that invalidity shall not affect other provisions of the policy.

Policies shall be regularly reviewed at a time allocated for this purpose on the agenda of public County Board meetings.

Policy Development and Adoption Process

The County Board’s policy development process shall include the following basic steps:

1. The County Board shall identify the need for a new policy or revision of an existing policy. The need may arise from a change in law, a new vision statement, new goals in the local control and accountability plan, educational research or trends, an incident that has arisen within the jurisdiction of the County Board, or a recommendation or request from the County Superintendent of Schools, a parent/guardian, or other interested person.

2. As needed, the County Board shall gather fiscal data, input from the County Superintendent, COE staff, and the public, sample policies from the California School Boards Association or other organizations or agencies, and other useful information and data to fully inform the County Board about a particular issue.

First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education: ______________
3. The County Board may hold discussions during a public County Board meeting to gain an understanding of the issue. The discussion may include, but not be limited to, community expectations and the anticipated impact of the policy on student learning and well-being, governance, the COE's fiscal resources, and operational efficiency.

4. The County Board may request that legal counsel review the draft policy as appropriate.

5. A draft policy shall be presented for a first reading at a public County Board meeting. At its second reading, the County Board may take action on the proposed policy. The County Board may waive the second reading or may require an additional reading if necessary.

Only policies formally adopted by a majority vote of the County Board shall constitute official County Board policy.

The policy development process may be revised or expanded as needed based on the issue being considered, the need for more information, or the desire to provide greater opportunities for consultation and public input.

Policies shall become effective upon adoption or at a future date if so designated by the County Board at the time of adoption.

Board Bylaws

The County Board shall adopt rules and regulations for its own governance consistent with state law and regulations. (Education Code 1040)

Bylaws governing County Board operations may be developed, adopted, and amended following the same procedures as those used for the adoption or amendment of County Board policy.

Administrative Regulations

It is the responsibility of the County Superintendent or designee to develop and enforce administrative regulations for the operation of the COE. At their discretion, the County Superintendent or designee may also develop procedures manuals, handbooks, or other guides to carry out the intent of County Board policy.

The County Board may review the County Superintendent's regulations for the purpose of determining conformity with the intent of County Board policy.

Monitoring and Evaluation

At any time, the County Board may determine that progress reports and/or an evaluation of the policy should be scheduled. If so, it shall establish a timeline and, as applicable, measures for evaluating the effectiveness of the policy in achieving its purpose.

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Second reading and adoption by the Nevada County Board of Education: _______________
Access to Policies

All staff and the public shall have access to an up-to-date policy manual. The policy manual shall be maintained electronically and/or by paper copy.

As necessary, the County Board or County Superintendent shall determine the appropriate communication strategy to notify COE staff, parents/guardians, students, and other stakeholders whenever a policy that affects them is adopted or revised. Policies shall be posted on the COE's web site when required by law.

Legal Reference:
EDUCATION CODE
1015  Vote requirements
1040-1042  Duties and responsibilities of county boards
35160-35160.2  Authority of governing boards

Management Resources:
WEB SITES

(1/16)  7/18
Board Bylaw
Meetings And Notices

BB 9320
Board Bylaws

Meetings of the County Board of Education are conducted for the purpose of accomplishing County Board business. In accordance with state open meeting laws (Brown Act), the County Board shall hold its meetings in public and shall conduct closed sessions during such meetings only as authorized by law. To encourage community involvement in the schools, County Board meetings shall provide opportunities for questions and comments by members of the public. All meetings shall be conducted in accordance with law and the County Board's bylaws, policies, and administrative regulations.

(cf. 9321 - Closed Session)
(cf. 9322 - Agenda/Meeting Materials)
(cf. 9323 - Meeting Conduct)

A County Board meeting exists whenever a majority of County Board members gather at the same time and location, including teleconference location, to hear, discuss, deliberate, or take action upon any item within the subject matter jurisdiction of the County Board. (Government Code 54952.2)

A majority of the County Board shall not, outside of an authorized meeting, use a series of communications of any kind, directly or through intermediaries, including social media and other electronic communications, to discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the County Board. (Government Code 54952.2)

However, the County Superintendent of Schools or a county office of education (COE) employee or official may engage in separate conversations with County Board members in order to answer questions or provide information regarding an item within the subject matter jurisdiction of the County Board, as long as that person does not communicate the comments or position of any County Board members to other County Board members. (Government Code 54952.2)

(cf. 9012 - Board Member Electronic Communications)

In order to help ensure the participation of individuals with disabilities at County Board meetings, appropriate disability-related accommodations or modifications shall be provided upon request in accordance with the Americans with Disabilities Act. (Government Code 54953.2, 54954.1, 54954.2)

Regular Meetings

First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education:
Nevada County Board of Education – Board Bylaws

The County Board shall hold one (1) regular meeting each month. Regular meetings shall be held at 3:00 p.m. on the second Wednesday at the Nevada County Superintendent of Schools Boardroom, unless otherwise noted on the agenda.

At least 72 hours prior to a regular meeting, the agenda shall be posted at one or more locations freely accessible to members of the public and on the County Board's and/or COE's web site. (Government Code 54954.2)

Whenever agenda materials relating to an open session of a regular meeting are distributed to the County Board less than 72 hours before the meeting, the secretary to the County Board or the secretary's designee shall make the materials available for public inspection at a public office or location designated for that purpose. (Government Code 54957.5)

Special Meetings

Special meetings of the County Board may be called by the board president when exigencies require them to be held, or whenever any three members of the County Board make a written request for such a meeting. However, a special meeting shall not be called regarding the salary, salary schedule, or other compensation of the County Superintendent. (Education Code 1012; Government Code 54956)

Written notice of special meetings shall be delivered personally or by any other means to all County Board members and the local media who have requested such notice in writing. The notice also shall be posted on the County Board's and/or COE's web site. The notice shall be received at least 24 hours before the time of the meeting. The notice shall also be posted at least 24 hours before the meeting in a location freely accessible to the public. The notice shall specify the time and location of the meeting and the business to be transacted or discussed. No other business shall be considered at this meeting. (Government Code 54956)

Any County Board member may waive the 24-hour written notice requirement prior to the time of the meeting by filing a written waiver of notice with the secretary of the County Board or by being present at the meeting at the time it convenes. (Government Code 54956)

Every notice of a special meeting shall provide an opportunity for members of the public to directly address the County Board concerning any item that has been described in the meeting notice, before or during the item's consideration. (Government Code 54954.3)

Emergency Meetings

In the case of an emergency situation for which prompt action is necessary due to the disruption or threatened disruption of public facilities, the County Board may hold an emergency meeting without complying with the 24-hour notice and/or 24-hour posting requirement for special meetings pursuant to Government Code 54956. The County Board shall comply with all other requirements for special meetings during an emergency meeting. (Government Code 54956.5)

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An emergency situation means either of the following: (Government Code 54956.5)

1. An emergency, which shall be defined as a work stoppage, crippling activity, or other activity that severely impairs public health and/or safety as determined by a majority of the members of the County Board

2. A dire emergency, which shall be defined as a crippling disaster, mass destruction, terrorist activity, or threatened terrorist act that poses peril so immediate and significant that requiring the County Board to provide one-hour notice before holding an emergency meeting may endanger the public health and/or safety as determined by a majority of the members of the County Board

Except in the case of a dire emergency, the County Board president or designee shall give notice of the emergency meeting by telephone at least one hour before the meeting to the local media that have requested notice of special meetings. All telephone numbers provided by the media in the most recent request for notification must be exhausted. If telephone services are not functioning, the notice requirement of one hour is waived and, as soon after the meeting as possible, the County Board shall notify those media representatives of the meeting and shall describe the purpose of the meeting and any action taken by the County Board. In the case of a dire emergency, the County Board president or designee shall give such notice at or near the time notification is given to the other members of the County Board about the meeting. (Government Code 54956.5)

The minutes of the meeting, a list of persons the County Board president or designee notified or attempted to notify, a copy of the roll call vote, and any actions taken at the meeting shall be posted for at least 10 days in a public place as soon after the meeting as possible. (Government Code 54956.5)

Adjourned/Continued Meetings

The County Board may adjourn/continue any regular or special meeting to a later time and location that shall be specified in the order of adjournment. Less than a quorum of the County Board may adjourn such a meeting. If no County Board members are present, the secretary or the clerk may declare the meeting adjourned to a later time and shall give notice in the same manner required for special meetings. (Government Code 54955)

Within 24 hours after the time of adjournment, a copy of the order or notice of adjournment/continuance shall be conspicuously posted on or near the door of the place where the meeting was held. (Government Code 54955)

Study Sessions, Retreats, Public Forums, and Discussion Meetings

The County Board may occasionally convene a study session or public forum to study an issue in more detail or to receive information from staff or feedback from members of the public.

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The County Board may also convene a retreat or discussion meeting to discuss County Board roles and relationships.

(cf. 9000 - Role of the Board)
(cf. 9005 - Governance Standards)
(cf. 9400 - Board Self-Evaluation)

Public notice shall be given in accordance with law when a quorum of the County Board is attending a study session, retreat, public forum, or discussion meeting. All such meetings shall comply with the Brown Act and shall be held in open session and within the county. Action items shall not be included on the agenda for these meetings.

Other Gatherings

Attendance by a majority of County Board members at any of the following events is not subject to the Brown Act provided that a majority of the County Board members do not discuss specific County Board business among themselves other than as part of the scheduled program: (Government Code 54952.2)

1. A conference or similar public gathering open to the public that involves a discussion of issues of general interest to the public or to county board members

2. An open, publicized meeting organized by a person or organization other than the County Board or COE to address a topic of local community concern

3. An open and noticed meeting of another body of the COE

4. An open and noticed meeting of a legislative body of another local agency

5. A purely social or ceremonial occasion

6. An open and noticed meeting of a standing committee of the County Board, provided that the County Board members who are not members of the standing committee attend only as observers

(cf. 9130 - Board Committees)

Individual contacts or conversations between a County Board member and any other person are not subject to the Brown Act. (Government Code 54952.2)

Location of Meetings

Meetings shall not be held in a facility that prohibits the admittance of any person on the basis of ancestry or any characteristic listed in Government Code 11135. In addition, meetings shall not be held in a facility which is inaccessible to individuals with disabilities or where members of the First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education: ____________
public must make a payment or purchase in order to be admitted. (Government Code 54961)

(cf. 0410 - Nondiscrimination in County Office Programs and Activities)

Meetings shall be held within the county, except to do any of the following: (Government Code 54954)

1. Comply with state or federal law or court order or attend a judicial or administrative proceeding to which the COE is a party

2. Inspect real or personal property which cannot conveniently be brought into the county, provided that the topic of the meeting is limited to items directly related to the property

3. Participate in meetings or discussions of multiagency significance, provided these meetings are held within one of the other agencies' boundaries, with all participating agencies giving the notice required by law

4. Meet in the closest meeting facility if the COE has no meeting facility within its boundaries or if its principal office is located outside the county

5. Meet with elected or appointed state or federal officials when a local meeting would be impractical, solely to discuss legislative or regulatory issues affecting the COE over which the state or federal officials have jurisdiction

6. Meet in or near a facility owned by the COE but located outside the county, provided the meeting agenda is limited to items directly related to that facility

7. Visit the office of the County Board's legal counsel for a closed session on pending litigation, when doing so would reduce legal fees or costs

Meetings exempted from the boundary requirements, as specified in items #1-8 above, shall still be subject to the notice and open meeting requirements for regular and special meetings when a quorum of the County Board attends the meeting.

If a fire, flood, earthquake, or other emergency renders the regular meeting location unsafe, meetings shall be held for the duration of the emergency at a place designated by the County Board president or designee, who shall so inform all news media who have requested notice of special meetings by the most rapid available means of communication. (Government Code 54954)

Teleconferencing

A teleconference is a meeting of the County Board in which County Board members are in different locations, connected by electronic means through audio and/or video. (Government Code 54953)

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Nevada County Board of Education – Board Bylaws

The County Board may use teleconferences for all purposes in connection with any meeting within its subject matter jurisdiction. All votes taken during a teleconference meeting shall be by roll call. (Government Code 54953)

During the teleconference, at least a quorum of the members of the County Board shall participate from locations within the County. (Government Code 54953)

Agendas shall be posted at all teleconference locations and shall list all teleconference locations whenever they are posted elsewhere. Additional teleconference locations may be provided to the public. (Government Code 54953)

All teleconference locations shall be accessible to the public. All teleconferenced meetings shall be conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the County Board, including the right to address the County Board directly at each teleconference location. (Government Code 54953)

All County Board policies, administrative regulations, and bylaws shall apply equally to meetings that are teleconferenced. The County Board secretary or designee shall facilitate public participation in the meeting at each teleconference location.

Legal Reference:
EDUCATION CODE
1009 Annual organizational meeting, and date
1010 County superintendent as ex officio secretary of the board
1011 Time and place of regular meetings
1012 Special meetings
1040-1042 Duties and responsibilities of County Boards
GOVERNMENT CODE
3511.1 Local agency executives
11135 State programs and activities; prohibition of discrimination
54950-54963 The Ralph M. Brown Act, especially:
54953 Meetings to be open and public; attendance
54954 Time and place of regular meetings
54954.2 Agenda posting requirements, county board actions
54956 Special meetings; call; notice
54956.5 Emergency meetings
CALIFORNIA CONSTITUTION
Article 9, Section 3 County superintendents
UNITED STATES CODE, TITLE 42
12101-12213 Americans with Disabilities Act
CODE OF FEDERAL REGULATIONS, TITLE 28
35.160 Effective communications for individuals with disabilities

First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education: ____________
36.303 Auxiliary aids and services for individuals with disabilities
COURT DECISIONS
Knight First Amendment Institute at Columbia University v. Trump, 928 F.3d 226 (2019)
ATTORNEY GENERAL OPINIONS

Management Resources:
CSBA PUBLICATIONS
The Brown Act: School Boards and Open Meeting Laws, 2019
INSTITUTE FOR LOCAL GOVERNMENT PUBLICATIONS
The ABCs of Open Government Laws
LEAGUE OF CALIFORNIA CITIES PUBLICATIONS
WEB SITES
CSBA: http://www.csba.org
CSBA, GAMUT Meetings:
http://www.csba.org/ProductsAndServices/AllServices/GamutMeetingsPolicy
California Attorney General’s Office: http://oag.ca.gov/home
Institute for Local Government: http://www.ca-ilg.org
League of California Cities: http://www.cacities.org

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Board Bylaw
Closed Session

BB 9321
Board Bylaws

The County Board of Education is committed to complying with state open meeting laws and modeling transparency in the conduct of its business. The County Board shall hold a closed session during a regular, special, or emergency meeting only for purposes authorized by law.

The agenda shall contain a general description of each closed session item to be discussed at the meeting, as required by law and specified below. (Government Code 54954.2)

(cf. 9320 - Meetings and Notices)
(cf. 9322 - Agenda/Meeting Materials)

In the open session preceding the closed session, the County Board shall disclose the items to be discussed in closed session. In the closed session, the County Board may consider only those matters so disclosed. (Government Code 54957.7)

After the closed session, the County Board shall reconvene in open session before adjourning the meeting and, when applicable, shall publicly report closed session actions, the votes or abstentions thereon, and other disclosures specified below that are applicable to the matter being addressed. Such reports may be made in writing or orally at the location announced in the agenda for the closed session. (Education Code 32281; Government Code 54957.1, 54957.7)

When an action taken during a closed session involves final approval or adoption of a document such as a contract or settlement agreement, a copy of the document shall be provided to any person present at the conclusion of the closed session who submitted a written request. If the action taken results in one or more substantive amendments, the document shall be made available the next business day or when the necessary retyping is complete. Whenever copies of an approved agreement will not be immediately released due to an amendment, the County Board president shall orally summarize the substance of the amendment for those present at the end of the closed session. (Government Code 54957.1)

Confidentiality

A County Board member shall not disclose confidential information received in closed session unless the County Board authorizes the disclosure of that information. (Government Code 54963)

(cf. 9011 - Disclosure of Confidential/Privileged Information)

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The County Board shall not disclose any information that is protected by state or federal law. In addition, no victim or alleged victim of tortious sexual misconduct or child abuse shall be identified in any County Board agenda, notice, announcement, or report required by the Brown Act, unless the identity of the person has previously been publicly disclosed. (Government Code 54957.7, 54961)

Matters Related to Students

The County Board shall meet in closed session to consider the appeal of an expulsion of a student, unless the student submits a written request at least five days before the date of the hearing that the hearing be held in open session. Regardless of whether the expulsion hearing is conducted in open or closed session, the County Board may meet in closed session for the purpose of deliberations. (Education Code 48920)

(cf. 5144.3 - Student Expulsion Appeals)

Agenda items related to student matters shall briefly describe the reason for the closed session, such as "student expulsion appeal hearing," without violating the confidentiality rights of individual students. The student shall not be named on the agenda, but a number may be assigned to the student in order to facilitate record keeping. The agenda shall also state that the Education Code requires closed sessions in these cases in order to prevent the disclosure of confidential student record information.

In taking final action, the County Board shall not release any information in violation of student privacy rights provided in 20 USC 1232g or other applicable laws. In an expulsion appeal, the County Board shall refer to the student number or other identifier and shall not disclose the student's name.

The County Board shall meet in closed session to address any student matter over which it has statutory authority, when the matter may involve disclosure of confidential student information.

Real Property Negotiations

The County Board may meet in closed session with its real property negotiator prior to the purchase, sale, exchange, or lease of real property by or for the County Board or county office of education (COE) in order to grant its negotiator authority regarding the price and terms of payment for the property. (Government Code 54956.8)

Before holding the closed session, the County Board shall hold an open and public session to identify its negotiator(s), the property under negotiation, and the person(s) with whom the negotiator may negotiate. For purposes of real property transactions, negotiators may include members of the County Board. (Government Code 54956.8)

Agenda items related to real property negotiations shall specify the negotiator attending the closed session. If circumstances necessitate the absence of a specified negotiator, an agent or
designee may participate in place of the absent negotiator as long as the name of the agent or
designee is announced at an open session held prior to the closed session. The agenda shall also
specify the name of the negotiating parties and the street address of the real property under
negotiation. If there is no street address, the agenda item shall specify the parcel number or
another unique reference of the property. The agenda item shall also specify whether instruction
to the negotiator will concern price, terms of payment, or both. (Government Code 54954.5)

When the County Board approves a final agreement concluding real estate negotiations pursuant
to Government Code 54956.8, it shall report that approval and the substance of the agreement in
open session at the public meeting during which the closed session is held. If final approval
rests with the other party to the negotiations, the County Superintendent or designee shall
disclose the fact of that approval and the substance of the agreement upon inquiry by any person,
as soon as the other party or its agent has informed the COE of its approval. (Government Code
54957.1)

Pending Litigation

Based on the advice of its legal counsel, the County Board may hold a closed session to confer
with or receive advice from its legal counsel regarding pending litigation when discussion of the
matter in open session would prejudice the COE's or County Board's position in the litigation.
For this purpose, "litigation" means any adjudicatory proceeding, including eminent domain,
before a court, administrative body exercising its adjudicatory authority, hearing officer, or
arbitrator. (Government Code 54956.9)

Litigation is considered "pending" in any of the following circumstances: (Government Code
54956.9)

1. Litigation to which the COE or County Board is a "party" has been initiated formally.
   (Government Code 54956.9(d)(1))

2. A point has been reached where, in the County Board's opinion based on the advice of its
   legal counsel regarding the "existing facts and circumstances," there is a "significant exposure to
   litigation" against the County Board or COE, or the County Board is meeting solely to determine
   whether, based on existing facts or circumstances, a closed session is authorized. (Government
   Code 54956.9(d)(2), (3))

Existing facts and circumstances for these purposes are limited to the following: (Government
Code 54956.9)

a. Facts and circumstances that might result in litigation against the County Board or COE
   but which the County Board believes are not yet known to potential plaintiff(s) and which do not
   need to be disclosed.

b. Facts and circumstances including, but not limited to, an accident, disaster, incident, or
   transactional occurrence which might result in litigation against the County Board or COE,
which are already known to potential plaintiff(s) and which must be publicly disclosed before the
closed session or specified on the agenda.

c. The receipt of a claim pursuant to the Government Claims Act or a written threat of
litigation from a potential plaintiff. The claim or written communication must be available for
public inspection.

d. A threat of litigation made by a person in an open meeting on a specific matter within the
responsibility of the County Board.

e. A threat of litigation made by a person outside of an open meeting on a specific matter
within the responsibility of the County Board, provided that the COE official or employee
receiving knowledge of the threat made a record of the statement before the meeting and the
record is available for public inspection. Such record does not need to identify an alleged victim
of tortious sexual conduct or anyone making a threat of litigation on the victim's behalf or
identify an employee who is the alleged perpetrator of any unlawful or tortious conduct, unless
the identity of this person has been publicly disclosed.

3. Based on existing facts and circumstances, the County Board has decided to initiate or is
deciding whether to initiate litigation. (Government Code 54956.9(d)(4))

Before holding a closed session pursuant to the pending litigation exception, the County Board
shall state on the agenda or publicly announce the subdivision of Government Code 54956.9
under which the closed session is being held. If authority is based on Government Code
54956.9(d)(1), the County Board shall either state the title or specifically identify the litigation to
be discussed or state that doing so would jeopardize the ability to effectuate service of process
upon unserved parties or to conclude existing settlement negotiations to its advantage.
(Government Code 54956.9)

Agenda items related to pending litigation shall be described as a conference with legal counsel
regarding either "existing litigation" or "anticipated litigation." (Government Code 54954.5)

"Existing litigation" items shall identify the name of the case specified by either the claimant's
name, names of parties, or case or claim number, unless the County Board states that to identify
the case would jeopardize service of process or existing settlement negotiations. (Government
Code 54954.5)

"Anticipated litigation" items shall state that there is significant exposure to litigation pursuant to
Government Code 54956.9(d)(2) or (3) and shall specify the potential number of cases. When
the County Board expects to initiate a suit, items related to anticipated litigation shall state that
the discussion relates to the initiation of litigation pursuant to Government Code 54956.9(d)(4)
and shall specify the potential number of cases. The agenda or an oral statement before the
closed session may be required to provide additional information regarding existing facts and
circumstances described in item #2b-e above. (Government Code 54954.5)

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Following the closed session, the County Board shall publicly report, as applicable: (Government Code 54957.1)

1. Approval to legal counsel to defend, appeal or not appeal, or otherwise appear in litigation. This report shall identify the adverse parties, if known, and the substance of the litigation.

2. Approval to legal counsel to initiate or intervene in a lawsuit. This report shall state that directions to initiate or intervene in the action have been given and that the action, defendants, and other details will be disclosed to inquiring parties after the lawsuit is commenced unless doing so would jeopardize the ability to serve process on unserved parties or the ability to conclude existing settlement negotiations to its advantage.

3. Acceptance of a signed offer from the other party or parties which finalizes the settlement of pending litigation. This report shall state the substance of the agreement.

If approval is given to legal counsel to settle pending litigation and if final approval rests with the other party or with the court, the County Board shall report the fact of approval, and the substance of the agreement to persons who inquire once the settlement is final. (Government Code 54957.1)

Review of Student Assessment Instruments

The County Board may meet in closed session to review the contents of any student assessment instrument approved or adopted for the statewide testing system. Before any such meeting, the County Board shall agree by resolution to accept any terms or conditions established by the State Board of Education for this review. (Education Code 60617)

Agenda items related to the review of student assessment instruments shall state that the County Board is reviewing the contents of an assessment instrument approved or adopted for the statewide testing program and that Education Code 60617 authorizes a closed session for this purpose in order to maintain the confidentiality of the assessment under review.

Other Matters for Closed Session

When appropriate, the County Board may also hold a closed session to discuss any of the following:

1. Security Matters

The County Board may meet in closed session with the Governor, Attorney General, district attorney, legal counsel, sheriff or chief of police, or their respective deputies, or a security consultant or a security operations manager, on matters posing a threat to the security of public buildings; to the security of essential public services, including water, drinking water, wastewater treatment, natural gas service, and electric service; or to the public's right of access to First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education:________________
public services or public facilities. Such discussions may be held in closed session during an
emergency meeting called pursuant to Government Code 54956.5 if agreed to by a two-thirds
vote of the County Board members present, or, if less than two-thirds of the members are
present, by a unanimous vote of the members present. (Government Code 54956.5, 54957)

(cf. 9323.2 - Actions by the Board)

Agenda items related to these security matters shall specify the name of the law enforcement
agency and the title of the officer, or name of applicable agency representative and title, with
whom the County Board will consult. (Government Code 54954.5)

2. Tactical Response Plan

The County Board may meet in closed session to consult with law enforcement officials on the
development of a plan for tactical responses to criminal incidents and to approve the plan.
Following the closed session, the County Board shall report any action taken to approve the plan,
but need not disclose the COE's plan for tactical responses. (Education Code 32281)


The County Board may meet in closed session to discuss a claim for the payment of tort liability
losses, public liability losses, or workers' compensation liability incurred by a joint powers
agency (JPA) formed for the purpose of insurance pooling or self-insurance authority of which
the COE is a member. (Government Code 54956.95)

Closed session agenda items related to liability claims shall specify the claimant's name and the
name of the agency against which the claim is made. (Government Code 54954.5)

When the board of the JPA has so authorized and upon advice of legal counsel, the
County Board may also meet in closed session in order to receive, discuss, and take action
concerning information obtained in a closed session of the JPA that has direct financial or
liability implications for the COE. (Government Code 54956.96)

Closed session agenda items related to conferences involving a JPA shall specify the name of the
JPA, the closed session description used by the JPA, and the name of the County Board member
representing the County Board on the JPA board. Additional information listing the names of
agencies or titles of representatives attending the closed session as consultants or other
representatives shall also be included. (Government Code 54954.5)

The County Board shall report the disposition of joint powers agency or self-insurance claims,
including the name of the claimant(s), the name of the agency claimed against, the substance of
the claim, and the monetary settlement agreed upon by the claimant. (Government Code
54957.1)

4. Review of Audit Report from California State Auditor's Office

First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education:
Upon receipt of a confidential final draft audit report from the California State Auditor's Office, the County Board may meet in closed session to discuss its response to that report. After public release of the report from the California State Auditor's Office, any County Board meeting to discuss the report must be conducted in open session, unless exempted from that requirement by some other provision of law. (Government Code 54956.75)

Closed session agenda items related to an audit by the California State Auditor's Office shall state "Audit by California State Auditor's Office." (Government Code 54954.5)

Following the closed session, the County Board shall publicly confirm that the report was reviewed and a response was prepared.

Legal Reference:
EDUCATION CODE
1040 Duties and responsibilities; county boards of education
1042 County boards; authority
1700 County school service fund
1703 Coordination services
1730 Supervision of instruction
1740 Supervision of attendance
1750 Supervision of health
1760 Provision of guidance services
32281 School safety plans
35145 Public meetings
35146 Closed session for student suspension or disciplinary action
48912 Governing board suspension of student
48918 Rules governing expulsion procedures; hearings and notice
49073-49079 Privacy of student records
60617 Closed session (review of contents of statewide assessment)
GOVERNMENT CODE
815-818.9 California Government Claims Act
3540-3549.3 Educational Employment Relations Act
6252-6270 California Public Records Act
54950-54963 The Ralph M. Brown Act
CALIFORNIA CONSTITUTION
Article 1, Section 3 Public right to access information
UNITED STATES CODE, TITLE 20
1232g Family Educational Rights and Privacy Act
CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.8 Family Educational Rights and Privacy
COURT DECISIONS
First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education: ______________
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Morrison v. Housing Authority of the City of Los Angeles Board of Commissioners, (2003) 107 Cal.App.4th 860
Kleitman v. Superior Court of Santa Clara County, (1999) 87 Cal Rptr. 2d
Roberts v. City of Palmdale, (1993) 5 Cal. 4th 363
Sacramento Newspaper Guild v. Sacramento County Board of Supervisors, (1968) 263 Cal.App. 2d 41

ATTORNEY GENERAL OPINIONS

Management Resources:
CSBA PUBLICATIONS
The Brown Act: School Boards and Open Meeting Laws, 2014
CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS
The Brown Act: Open Meetings for Legislative Bodies, 2003
LEAGUE OF CALIFORNIA CITIES PUBLICATIONS
WEB SITES
CSBA: http://www.csba.org
League of California Cities: http://www.cacities.org

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First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education: _____________
Exhibit
Closed Session

E 9321
Board Bylaws

Exhibit 1

BOARD MEETING AGENDA DESCRIPTIONS FOR CLOSED SESSION ITEMS

The County Board of Education meeting agenda shall include the following description of a closed session item, as applicable:

Matters Related to Students

CONFIDENTIAL STUDENT MATTER

Action under consideration: ________________________________
(Specify type of action, e.g., expulsion appeal, etc.)

Student identification number: _______________________
(It is recommended that the student's name not be listed. The county office of education (COE) may use other means to identify the student for record-keeping purposes.)

Security Matters

THREAT TO PUBLIC SERVICES OR FACILITIES
Government Code 54957

Consultation with: ________________________________
(Specify name of law enforcement agency and title of officer, or name of applicable agency representative and title, with whom the County Board will consult.)

DEVELOPMENT/APPROVAL OF TACTICAL RESPONSE PLAN
Education Code 32281

Consultation with: ________________________________
(Specify name of law enforcement agency and title of officer, or name of applicable agency representative and title, with whom the County Board will consult.)

Real Property Negotiations

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CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Government Code 54956.8

Property: ____________________________________________________________
(Specify street address, or if no street address, the parcel number or other unique reference, of
the real property under negotiation.)

COE negotiator: ______________________________________________________
(Specify names of negotiators attending the closed session. If circumstances necessitate the
absence of a specified negotiator, an agent or designee may participate in place of the absent
negotiator as long as the name of the agent or designee is announced at an open session held
prior to the closed session.)

Negotiating parties: ____________________________________________________
(Specify name of party; not agent.)

Under negotiation: _____________________________________________________
(Specify whether instruction to negotiator will concern price, terms of payment, or both.)

Pending Litigation

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Government Code 54956.9(d)(1)

Name of case: _________________________________________________________
(Specify by reference to claimant's name, names of parties, or case or claim numbers.)

or

Case name unspecified, as identification of the case would jeopardize service of process or
existing settlement negotiations.

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Government Code 54956.9(d)(2) or (3)

Significant exposure to litigation pursuant to Government Code 54956.9(d)(2) or (3). Number
of potential cases: ____________________________

or

Initiation of litigation pursuant to Government Code 54956.9(d)(4). Number of potential
cases: ____________________________

If applicable, facts and circumstances: ______________________________________
(The COE may be required to provide additional information on the agenda or in an oral
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statement prior to the closed session pursuant to Government Code 54956.9(e)(2)-(5). These include facts and circumstances, such as an accident, disaster, incident, or transactional occurrence that might result in litigation against the COE and that are known to potential plaintiff(s).)

Joint Powers Authority Issues

LIABILITY CLAIMS FOR INSURANCE-RELATED JOINT POWERS AGENCY
Government Code 54956.95

Name of claimant(s):
(Specify name, except pursuant to Government Code 54961 when the claimant is a victim or alleged victim of tortious sexual conduct or child abuse unless the identity of the person has been publicly disclosed.)

Name of agency against which the claim is made: ________________________________

CONFERENCE INVOLVING INFORMATION FROM A JOINT POWERS AGENCY WITH DIRECT FINANCIAL OR LIABILITY IMPLICATIONS FOR COE
Government Code 54956.96

Name of JPA: ________________________________

Discussion will concern: ________________________________
(Specify closed session description used by the JPA.)

Name of COE representative on JPA board: ________________________________

Names of agencies or titles of representatives attending the closed session as consultants or other representatives, if applicable:
________________________________________________________

Review of Audit from State Auditor's Office

AUDIT BY CALIFORNIA STATE AUDITOR'S OFFICE
Government Code 54956.75

(No additional information is required.)

Review of Assessment Instruments

REVIEW OF STUDENT ASSESSMENT INSTRUMENT
Education Code 60617

The County Board is reviewing the contents of an assessment instrument approved or adopted
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for the statewide testing program. Education Code 60617 authorizes a closed session for this purpose in order to maintain the confidentiality of the assessment under review.

Exhibit 2

CLOSED SESSION

REPORTS OF CLOSED SESSION ACTIONS

Following a closed session during any meeting of the County Board of Education, the County Board shall reconvene in open session to present, orally or in writing, a report of any of the following actions taken during the closed session, as applicable:

Matters Related to Students

(Final action must be taken in open session. It is recommended that the student's name not be disclosed.)

Security Matters

Action taken:
(e.g., consultation with law enforcement; approval of contract or memorandum of understanding; approval of tactical response plan, without disclosing the details of the plan)

Board member votes/abstentions:

Real Property Negotiations

Action taken:
(Report if County Board approves a final agreement concluding real estate negotiations. If final approval rests with the other party, report as soon as the other party has approved the agreement.)

Substance of the agreement:

Board member votes/abstentions:

Existing Litigation

Action taken related to existing litigation:
(e.g., approval to legal counsel to defend, appeal or not appeal, or otherwise appear in litigation; or approval to legal counsel of a settlement of pending litigation at any stage prior to or during a
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judicial or quasi-judicial proceeding. If final approval of settlement rests with the other party, report to any person upon request once the settlement is final.)

Adverse party/parties, if known: __________________________________________

Substance of the litigation: _____________________________________________

Board member votes/abstentions: _________________________________________

Anticipated Litigation

Action taken: The County Board has given approval to legal counsel to initiate or intervene in a lawsuit. The action, defendants, and other details will be disclosed to any person upon request after the lawsuit is commenced, unless doing so would jeopardize the COE’s ability to serve process on unserved parties or its ability to conclude existing settlement negotiations to its advantage.
(The report need not initially identify the action, defendants, or other details.)

Board member votes/abstentions: _________________________________________

Joint Powers Agency Issues

LIABILITY CLAIMS FOR INSURANCE-RELATED JOINT POWERS AGENCY

Name of claimant(s): ________________________________________________

Name of agency against which the claim is made: _________________________

Substance of the claim: ______________________________________________

Monetary settlement agreed upon by the claimant: _________________________

Board member votes/abstentions: _______________________________________

CONFERENCE INVOLVING INFORMATION FROM A JOINT POWERS AGENCY WITH DIRECT FINANCIAL OR LIABILITY IMPLICATIONS FOR COE

Name of JPA: _______________________________________________________

Action taken: _______________________________________________________
(Law does not include any specific disclosures to be reported.)

Board member votes/abstentions: _______________________________________

Review of Audit from State Auditor's Office
First reading by the Nevada County Board of Education: May 12, 2021
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Action taken: The County Board reviewed the confidential final draft audit report received from the California State Auditor's Office and has prepared a response. (No additional information is required. Unless otherwise exempted by law, after the audit report is subsequently released to the public, any County Board discussion of the report must be conducted in open session.)

Review of Assessment Instruments

Action taken: The County Board reviewed the contents of a student assessment instrument approved or adopted for the statewide testing system.

7/19
Board Bylaw
Agenda/Meeting Materials

BB 9322
Board Bylaws

Agenda Content

County Board of Education meeting agendas shall reflect the County Board's vision and goals and its focus on student learning.

Each agenda shall state the meeting time and place and shall briefly describe each business item to be transacted or discussed, including items to be discussed in closed session. (Government Code 54954.2)

(cf. 9320 - Meetings and Notices)
(cf. 9321 - Closed Session)

In order to promote efficient meetings, the County Board may bundle a number of items and act upon them together by a single vote through the use of a consent agenda. Consent items shall be items of a routine nature for which County Board discussion is not anticipated and for which approval is recommended. When any County Board member requests the removal of an item from the consent agenda, the item shall be removed and given individual consideration for action as a regular agenda item.

The agenda shall provide members of the public the opportunity to address the County Board on any agenda item, including any consent agenda item, before or during the County Board's consideration of the item. However, the agenda need not provide an opportunity for public comment when the agenda item has previously been considered at an open meeting of a committee comprised exclusively of County Board members, provided that members of the public were afforded an opportunity to comment on the item at that meeting and the item has not been substantially changed since the committee considered it. (Government Code 54954.3)

The agenda for a regular County Board meeting shall also provide members of the public an opportunity to comment on matters which are not on the agenda but which are within the subject matter jurisdiction of the County Board. (Government Code 54954.3)

(cf. 9323 - Meeting Conduct)

Any County Board action that involves borrowing $100,000 or more shall be discussed, considered, and deliberated upon as a separate item of business on the meeting agenda. (Government Code 53635.7)

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(cf. 9323.2 - Actions by the Board)

Each agenda for a regular meeting shall list the address designated for public inspection of documents related to an open session item that have been distributed to the County Board less than 72 hours before the meeting. (Government Code 54957.5)

The agenda shall include information regarding how, when, and to whom a request should be made if an individual requires disability-related accommodations or modifications, including auxiliary aids and services, in order to participate in the County Board meeting. (Government Code 54954.2)

Agenda Preparation

The County Board president and the County Superintendent of Schools, as secretary to the County Board, shall work together to develop the agenda for each regular and special meeting.

(cf. 9121 - President)

Any County Board member or member of the public may request that a matter within the jurisdiction of the County Board be placed on the agenda of a regular meeting. The request shall be submitted in writing to the County Superintendent and County Board president with supporting documents and information, if any, at least one week before the scheduled meeting date. Items submitted less than a week before the scheduled meeting date may be postponed to a later meeting in order to allow sufficient time for consideration and research of the issue.

The County Board president and County Superintendent shall decide whether a request from a member of the public is within the subject matter jurisdiction of the County Board. Items not within the subject matter jurisdiction of the County Board shall not be placed on the agenda. In addition, before placing the item on the agenda, the County Board president and County Superintendent shall determine if the item is merely a request for information or whether the issue is covered by an existing County Board policy, administrative regulation, or other guidance document.

If a request from a County Board member to place an item on the agenda is denied, the member may ask the County Board to take action to determine whether the item shall be placed on the agenda.

The County Board president and County Superintendent shall also decide whether an agenda item is appropriate for discussion in open or closed session, and whether the item should be an action item subject to County Board vote or an information item that does not require immediate action.

Agenda Dissemination to County Board Members

At least 72 hours before each regular meeting, each County Board member shall be provided a First reading by the Nevada County Board of Education: May 12, 2021
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copy of the agenda and agenda packet, including any reports from the County Superintendent; minutes to be approved; copies of communications; reports from committees, staff, and others; and other available documents pertinent to the meeting.

When special meetings are called, County Board members shall receive, at least 24 hours prior to the meeting, notice of the business to be transacted. (Government Code 54956)

County Board members shall review agenda materials before each meeting. Individual members may confer directly with the County Superintendent or designee to ask questions and/or request additional information on agenda items. However, a majority of County Board members shall not, outside of a noticed meeting, directly or through intermediaries or electronic means discuss, deliberate, or take action on any matter within the subject matter jurisdiction of the County Board.

(cf. 9012 - Board Member Electronic Communications)

Agenda Dissemination to Members of the Public

Any agenda and related materials distributed to the County Board shall be made available to the public upon request without delay. Only those documents which are public records under the Public Records Act and which relate to an agenda item scheduled for the open session portion of a regular meeting shall be made available to the public. (Government Code 54957.5)

At least 72 hours prior to a regular meeting, the agenda shall be posted at one or more locations freely accessible to members of the public. (Government Code 54954.2)

In addition, the agenda shall be posted on the homepage of the county office of education (COE) web site. The posted agenda shall be accessible through a prominent direct link to the current agenda or to the COE’s agenda management platform in accordance with Government Code 54954.2. When the COE utilizes an integrated agenda management platform, the link to that platform shall take the user directly to the web site with the County Board meeting agendas, and the current agenda shall be the first available. (Government Code 54954.2)

If a document which relates to an open session agenda item of a regular County Board meeting is distributed to the County Board less than 72 hours prior to the meeting, the document shall be made available for public inspection at a designated location at the same time the document is distributed to all or a majority of the County Board. (Government Code 54957.5)

As County Board secretary, it is the responsibility of the County Superintendent or designee to mail a copy of the agenda or a copy of all the documents constituting the agenda packet to any person who requests the items. The materials shall be mailed at the time the agenda is posted or upon distribution of the agenda to a majority of the County Board, whichever occurs first. (Government Code 54954.1)

Any request for mailed copies of agendas or agenda packets shall be in writing and shall be valid
for the calendar year in which it is filed. Written requests must be renewed following January 1 of each year. (Government Code 54954.1)

Persons requesting mailing of the agenda or agenda packet shall pay an annual fee, as determined by the County Superintendent or designee, not to exceed the cost of providing the service.

Any document prepared by the County Board or COE and distributed during a public meeting shall be made available for public inspection at the meeting. Any document prepared by another person and presented at the meeting shall be made available for public inspection after the meeting. These requirements shall not apply to a document that is exempt from public disclosure under the Public Records Act. (Government Code 54957.5)

Upon request, the County Superintendent or designee shall make the agenda, agenda packet, and/or any writings distributed at the meeting available in appropriate alternative formats to persons with a disability, as required by the Americans with Disabilities Act. (Government Code 54954.1)

Legal Reference:
EDUCATION CODE
35145.5 Right of public to place matters on agenda
49061 Student records; definitions
49073.2 Privacy of student and parent/guardian personal information
GOVERNMENT CODE
6250-6270 Public Records Act
53635.7 Separate item of business
54954.1 Mailed agenda of meeting
54954.2 Agenda posting requirements; board actions
54954.3 Opportunity for public to address legislative body
54954.5 Closed session item descriptions
54956 Brown Act open meeting laws; special meetings
54956.5 Emergency meetings
54957.5 Availability of public records
54960.2 Challenging board actions; cease and desist
UNITED STATES CODE, TITLE 42
12101-12213 Americans with Disabilities Act
CODE OF FEDERAL REGULATIONS, TITLE 28
35.160 Effective communications
36.303 Auxiliary aids and services
COURT DECISIONS
ATTORNEY GENERAL OPINIONS

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Management Resources:
CSBA PUBLICATIONS
Call to Order: A Blueprint for Great Board Meetings, rev. 2015
OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS
The Brown Act: Open Meetings for Legislative Bodies, rev. 2003
WEB SITES
CSBA, Agenda Online:  http://www.csba.org

(1/16)  1/19
Board Bylaw
Meeting Conduct

BB 9323
Board Bylaws

The County Board of Education endeavors to conduct business efficiently and in a manner that promotes full and fair consideration of the issues and allows for meaningful participation of members of the public.

Meeting Procedures

All County Board meetings shall begin on time and shall be guided by an agenda prepared in accordance with County Board bylaws and posted and distributed in accordance with the Ralph M. Brown Act (open meeting requirements) and other applicable laws.

(cf. 9322 - Agenda/Meeting Materials)

The County Board president shall conduct meetings in accordance with County Board bylaws and approved meeting procedures.

The County Board believes that late night meetings discourage public participation, can affect the County Board's decision-making ability, and can be an unnecessary burden on County Board members, the County Superintendent of Schools, and staff. Regular meetings shall be adjourned at the time, if any, set by the County Board at the annual organizational meeting.

(cf. 9100 - Organization)

Quorum and Abstentions

A majority of the members of the County Board shall constitute a quorum for the transaction of business. (Education Code 1013)

On a call by any County Board member, a voice vote shall be taken upon any proposition and the vote shall be recorded in the minutes. (Education Code 1015)

(cf. 9324 - Minutes and Recordings)

Unless otherwise provided by law, an affirmative vote by a majority of all the membership of the County Board is required to approve any action under consideration, regardless of the number of members present.

(cf. 9323.2 - Actions by the Board)

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The County Board believes that when no conflict of interest requires abstention, its members have a duty to vote on issues before them. When a member abstains, the abstention shall not be counted as an affirmative vote for purposes of determining whether a majority of the membership of the County Board has taken action.

(cf. 9270 - Conflict of Interest)

Public Participation

Members of the public are encouraged to attend County Board meetings and to address the County Board concerning any item on the agenda or within the County Board's jurisdiction. Although they may voluntarily do so, members of the public attending a County Board meeting shall not be required to sign in, complete a questionnaire, or otherwise provide their name or other information as a condition of attending the meeting.

In order to conduct business in an orderly and efficient manner, the County Board requires public presentations to the County Board to comply with the following procedures:

1. The County Board shall give members of the public an opportunity to address the County Board on any item of interest to the public that is within the subject matter jurisdiction of the County Board, either before or during the County Board's consideration of the item. (Government Code 54954.3)

2. At a time so designated on the agenda at a regular meeting, members of the public may bring before the County Board matters that are not listed on the agenda. The County Board shall undertake no action or discussion on any item not appearing on the posted agenda, except as authorized by law. (Government Code 54954.2)

3. Without taking action, County Board members or county office of education (COE) staff members may briefly respond to statements made or questions posed by the public about items not appearing on the agenda. Additionally, on their own initiative or in response to questions posed by the public, County Board members or COE staff may ask a question for clarification, make a brief announcement, or make a brief report on their own activities. (Government Code 54954.2)

Furthermore, the County Board may provide a reference to COE staff or other resources for factual information, ask COE staff to report back to the County Board at a subsequent meeting concerning any matter, or take action to direct that a matter of business be placed on a future agenda. (Government Code 54954.2)

4. The County Board need not allow members of the public to speak on any item that has already been considered by a committee composed exclusively of County Board members at a public meeting where the public had the opportunity to address the committee on that item. However, if the County Board determines that the item has been substantially changed since the First reading by the Nevada County Board of Education: May 12, 2021
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committee heard the item, the County Board shall provide an opportunity for the public to speak. (Government Code 54954.3)

5. A person wishing to be heard by the County Board shall first be recognized by the president.

In general, individual speakers will be allowed three minutes to address the County Board on each agenda or nonagenda item, and the total time for public input on each item will be limited to 20 minutes. In exceptional circumstances, however, the County Board president may, with County Board consent, adjust the amount of time allowed for public input and/or the time allotted for each speaker, when such adjustment is necessary to ensure full opportunity for public input. Any such adjustment shall be done equitably so as to allow a diversity of viewpoints. The president may also ask members of the public with the same viewpoint to select a few individuals to address the Board on behalf of that viewpoint.

In order to ensure that non-English speakers receive the same opportunity to directly address the County Board, any member of the public who utilizes a translator shall be provided at least twice the allotted time to address the County Board, unless simultaneous translation equipment is used to allow the County Board to hear the translated public testimony simultaneously. (Government Code 54954.3)

6. The County Board president may rule on the appropriateness of a topic, subject to the following conditions:

a. If the topic would be more suitably addressed at a later time, the president may indicate the time and place when it should be presented.

b. The County Board shall not prohibit public criticism of its policies, procedures, programs, services, acts, or omissions. (Government Code 54954.3)

7. The County Board president shall not permit any disturbance or willful interruption of meetings. Persistent disruption by an individual or group or any conduct or statements that threaten the safety of any person(s) at the meeting shall be grounds for the president to terminate the privilege of addressing the County Board.

The County Board may remove disruptive individuals and order the room cleared if necessary. In this case, members of the media not participating in the disturbance shall be allowed to remain, and individuals not participating in such disturbances may be allowed to remain at the discretion of the County Board. When the room is ordered cleared due to a disturbance, further proceedings shall concern only matters appearing on the agenda. (Government Code 54957.9)

When such disruptive conduct occurs, law enforcement shall be contacted as necessary.

Recording by the Public
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Members of the public may record an open County Board meeting using an audio or video recorder, still or motion picture camera, cell phone, or other device, provided that the noise, illumination, or obstruction of view does not persistently disrupt the meeting. The County Board may designate locations from which members of the public may make such recordings without causing a distraction.

If the County Board finds that noise, illumination, or obstruction of view related to these activities would persistently disrupt the proceedings, these activities shall be discontinued or restricted as determined by the County Board. (Government Code 54953.5, 54953.6)

Legal Reference:
EDUCATION CODE
1013 Quorum
1015 Voting
1040 Duties and responsibilities; county boards of education
1042 County boards; authority
1090 County board member compensation
32210 Willful disturbance of public school or meeting a misdemeanor
35165 Effect of vacancies upon majority and unanimous votes by seven member board
CODE OF CIVIL PROCEDURE
527.8 Workplace Violence Safety Act
GOVERNMENT CODE
54953.3 Prohibition against conditions for attending a board meeting
54953.5 Audio or video tape recording of proceedings
54953.6 Broadcasting of proceedings
54954.2 Agenda; posting; action on other matters
54954.3 Opportunity for public to address legislative body; regulations
54957 Closed sessions
54957.9 Disorderly conduct of general public during meeting; clearing of room
PENAL CODE
403 Disruption of assembly or meeting
COURT DECISIONS
City of San Jose v. Garbett (2010) 190 Cal.App.4th 526
Norse v. City of Santa Cruz (9th Cir. 2010) 629 F3d 966
ATTORNEY GENERAL OPINIONS
First reading by the Nevada County Board of Education: May 12, 2021.
Second reading and adoption by the Nevada County Board of Education: __________________
Management Resources:
CSBA PUBLICATIONS
Call to Order: A Blueprint for Great Board Meetings, 2015
ATTORNEY GENERAL PUBLICATIONS
The Brown Act: Open Meetings for Local Legislative Bodies, 2003
WEB SITES
CSBA: http://www.csba.org
California Attorney General's Office: http://oag.ca.gov

(1/16 7/18) 1/20
Board Bylaw
Actions by The Board

BB 9323.2
Board Bylaws

The County Board of Education shall take action by a majority vote of all of the membership constituting the County Board, unless otherwise required by law.

(cf. 9000 - Role of the Board)
(cf. 9005 - Governance Standards)
(cf. 9012 - Board Member Electronic Communications)
(cf. 9200 - Limits of Board Member Authority)

An "action" by the County Board means:  (Government Code 54952.6)

1. A collective decision by a majority of the County Board members

2. A collective commitment or promise by a majority of the County Board members to make a positive or negative decision

3. A vote by a majority of the County Board members when sitting as the County Board upon a motion, proposal, resolution, order, or ordinance

The County Board shall not take action by secret ballot, whether preliminary or final,  (Government Code 54953)

Actions taken by the County Board in open session shall be recorded in the County Board minutes.  (Education Code 1015)

(cf. 9324 - Minutes and Recordings)

No action shall be taken on any item that does not appear on the posted meeting agenda, except under any of the following conditions and after publicly identifying the item:  (Government Code 54954.2)

1. When a majority of the County Board determines that an emergency situation exists, as defined for emergency meetings pursuant to Government Code 54956.5

2. When two-thirds of the members present, or if less than two-thirds of the members are present then by a unanimous vote of all members present, determine that the need to take immediate action came to the County Board's attention after the agenda was posted

First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education: ______________________
3. When an item appeared on the agenda of, and was continued from, a meeting that occurred not more than five days earlier

(cf. 9320 - Meetings and Notices)

Actions Requiring a Two-Thirds Vote of the County Board

A two-thirds vote of the County Board membership shall be required for the following actions:

1. Request for temporary borrowing of funds needed for immediate requirements of the county office of education (COE) to pay obligations incurred before the receipt of income for the fiscal year sufficient to meet the payment(s) (Government Code 53821)

2. Resolution of necessity to proceed with an eminent domain action and, if the County Board subsequently desires to use the property for a different use than stated in the resolution of necessity, a subsequent resolution so authorizing the different use (Code of Civil Procedure 1245.240, 1245.245; Education Code 1047)

Actions Requiring a Two-Thirds Vote of the Board Members Present at the Meeting

A two-thirds vote of the County Board members present at the meeting shall be required for the following actions:

1. Determination that there is a need to take immediate action and that the need for action came to the County Board's attention after the posting of the agenda (Government Code 54954.2)

2. Determination that a closed session is necessary during an emergency meeting (Government Code 54956.5)

If less than two-thirds of the County Board members are present at the meeting, a unanimous vote of all members present shall be required for the above actions.

Action Requiring a Four-Fifths Vote of the County Board

A four-fifths vote of the County Board membership shall be required for:

1. Any resolution for borrowing based on issuance of notes, tax anticipation warrants, or other evidences of indebtedness, in an amount up to 50 percent of the COE's estimated income and revenue for the fiscal year or the portion not yet collected at the time of the borrowing (Government Code 53822, 53824)

2. Resolution for borrowing, between July 15 and August 30 of any fiscal year, of up to 25 percent of the estimated income and revenue to be received by the COE during that fiscal year from apportionments based on the average daily attendance (ADA), for the preceding school year.
Nevada County Board of Education – Board Bylaws

year, of schools operated by the County Board  (Government Code 53823-53824)

3. Declaration of an emergency in order to authorize the COE to include a particular brand name or product in a bid specification  (Public Contract Code 3400)

4. If the COE has adopted the procedures set forth in the Uniform Public Construction Cost Accounting Act (UPCCAA), action to respond to an emergency facilities condition without giving notice for bids to let contracts. Such action may include the repair or replacement of COE facilities, the taking of any other action that is directly related to and immediately required by that emergency, the procurement of the necessary equipment, services, and supplies for those purposes, the delegation of authority to the County Superintendent or designee to take such action, and the determination during a regular County Board meeting of the need to continue the action.  (Public Contract Code 22035, 22050)

5. Resolution to award a contract for a public works project at $212,500 or less to the lowest responsible bidder, when the COE is using the informal process authorized under the UPCCAA for projects of $200,000 or less, all bids received are in excess of $200,000, and the County Board determines that the COE’s cost estimate was reasonable  (Public Contract Code 22034)

Action Requiring a Four-Fifths Vote of the Board Members Present at the Meeting

A four-fifths vote of the County Board members present at the meeting shall be required to approve the expenditure and transfer of necessary funds and use of property or personnel to meet a national or local emergency created by war, military, naval, or air attack, or sabotage, or to provide for adequate national or local defense.  (Government Code 53790-53792)

Actions Requiring a Unanimous Vote of the Board Members Present at the Meeting

A unanimous vote of the County Board members present at the meeting shall be required for the following actions:

1. If less than two-thirds of the County Board members are present at the meeting, determination that there is a need to take immediate action and that the need for action came to the County Board’s attention after the posting of the agenda (Government Code 54954.2)

2. If less than two-thirds of the County Board members are present at the meeting, determination that a closed session is necessary during an emergency meeting  (Government Code 54956.5)

Challenging Board Actions

The district attorney’s office or any interested person may file an action in court for the purpose of:  (Government Code 54960, 54960.2)

1. Stopping or preventing the County Board’s violation or threatened violations of the
First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education: __________________________
Brown Act

2. Determining the applicability of the Brown Act to ongoing or future threatened County Board actions

3. Determining the applicability of the Brown Act to a past action of the County Board that is not specified in Government Code 54960.1, provided that:

   a. Within nine months of the alleged violation, a cease and desist letter is submitted to the County Board, clearly describing the past County Board action and the nature of the alleged violation.

   b. The time for the County Board to respond has expired and the County Board has not provided an unconditional commitment to cease and desist from and not repeat the past action alleged to have violated the Brown Act.

   c. The action is brought within the time required by Government Code 54960.2.

4. Determining the validity, under state or federal law, of any County Board rule or action which penalizes any of its members or otherwise discourages their expression

5. Compelling the County Board to audio record its closed sessions because of a court's finding of the County Board's violation of any applicable Government Code provision

The district attorney or any interested person may file an action in court to nullify a County Board action which is alleged to be in violation of law regarding any of the following: (Government Code 54960.1)

1. Open meeting and teleconferencing (Government Code 54953)

2. Agenda posting (Government Code 54954.2)

3. Closed session item descriptions (Government Code 54954.5)

4. New or increased tax assessments (Government Code 54954.6)

5. Special meetings (Government Code 54956)

6. Emergency meetings (Government Code 54956.5)

Prior to bringing any action to nullify a County Board action, the district attorney or other interested person shall present a demand to "cure and correct" the alleged violation. The demand shall clearly describe the challenged action and the nature of the alleged violation and shall be presented to the County Board in writing within 90 days of the date when the action was taken. If the alleged violation concerns action taken in an open session but in violation of Government

First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education: _____________________
Code 54954.2 (agenda posting), the written demand must be made within 30 days of the date when the alleged action took place. (Government Code 54960.1)

Within 30 days of receiving the demand, the County Board shall do one of the following: (Government Code 54960.1)

1. Cure or correct the challenged action and inform the demanding party in writing of its actions to cure or correct.

2. Determine not to cure or correct the alleged violation and inform the demanding party in writing of its decision to not cure or correct.

If the County Board takes no action within the 30-day period, its inaction shall be considered a decision not to cure or correct the challenged action. (Government Code 54960.1)

Legal Reference:
EDUCATION CODE
1000 County boards consist of five or seven members
1015 Recording votes
1042 Authorization to hold and convey real property
1047 Eminent domain
17466 Declaration of intent to sell or lease real property
17481 Lease of property with residence for nondistrict purposes
17556-17561 Dedication of real property
CODE OF CIVIL PROCEDURE
1245.240 Eminent domain vote requirements
1245.245 Eminent domain, resolution adopting different use
GOVERNMENT CODE
53790-53792 Exceeding the budget
53820-53833 Temporary borrowing
53850-53858 Temporary borrowing
54950-54963 The Ralph M. Brown Act, especially:
54952.6 Action taken, definition
54953 Meetings to be open and public; attendance; prohibition against secret ballots
54960-54960.5 Actions to prevent violations
65352.2 Coordination with planning agency
PUBLIC CONTRACT CODE
3400 Bid specifications
22000-22045 Uniform Construction Cost Accounting Procedures, especially:
22034 Uniform Public Construction Cost Accounting Act informal bidding ordinance
22035 Repair or replacement of facilities in case of emergency
22050 Emergency contracting procedures
COURT DECISIONS
First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education: 
Nevada County Board of Education – Board Bylaws

Los Angeles Times Communications LLC v. Los Angeles County Board of Supervisors (2003) 112 Cal.App.4th 1313
Boyle v. City of Redondo Beach (1999) 70 Cal.App.4th 1109

Management Resources:
CSBA PUBLICATIONS
The Brown Act: School Boards and Open Meeting Laws, 2014
ATTORNEY GENERAL PUBLICATIONS
The Brown Act: Open Meetings for Local Legislative Bodies, 2003
LEAGUE OF CALIFORNIA CITIES PUBLICATIONS
WEB SITES
CSBA: http://www.csba.org
Institute for Local Government: http://www.ca-ilg.org

(1/16 8/20)
Exhibit
Actions By The Board

E 9323.2
Board Bylaws

UNCONDITIONAL COMMITMENT LETTER

To: ______________________ (Name of district attorney or any interested person)

The Nevada County Board of Education has received your cease and desist letter dated ______________________ (date) alleging that the following past action taken by the County Board violates the Ralph M. Brown Act: ______________________ (Describe alleged past action as set forth in the cease and desist letter.)

In order to avoid unnecessary litigation and without admitting any violation of the Ralph M. Brown Act, the County Board hereby unconditionally commits that it will cease, desist from, and not repeat the challenged past action described above.

The County Board may rescind this commitment only by a majority vote of its membership taken in open session at a regular meeting and noticed on its posted agenda as "Rescission of Brown Act Commitment." You will be provided with written notice, sent by any means or media you provide in response to this message, to whatever address(es) you specify, of any intention to consider rescinding this commitment at least 30 days before any such regular meeting. In the event that this commitment is rescinded, a notice will be delivered to you by the same means as this commitment, or by mail to an address that you have designated in writing, and you will have the right to commence legal action pursuant to Government Code 54960(a).

Sincerely,

_________________________ (Name)
President, Nevada County Board of Education

(1/16 8/20)
Board Bylaw
Minutes And Recordings

BB 9324
Board Bylaws

The County Board of Education recognizes that maintaining accurate minutes of County Board meetings helps foster public trust in Board governance and provides a record of official actions for use by county office of education (COE) staff and the public.

(cf. 9000 - Role of the Board)
(cf. 9005 - Governance Standards)
(cf. 9323 - Meeting Conduct)

The County Board shall keep a record of its proceedings and shall record the votes of County Board members in the meeting minutes. (Education Code 1015, 1040)

(cf. 9323.2 - Actions by the Board)

The County Board's minutes shall be public records and shall be made available to the public upon request.

The minutes of County Board meetings shall include, but not be limited to:

1. A notation of which County Board members are present, in person or by teleconference, and whether a member is not present for part of the meeting due to late arrival and/or early departure

(cf. 9250 - Remuneration, Reimbursement and Other Benefits)
(cf. 9320 - Meetings and Notices)

2. A brief summary of the County Board's discussion on each agenda topic, rather than a verbatim record of each County Board member's specific point of view during the discussion

3. A summary of the public comments made on agendized items and unagendized topics

4. The specific language of each motion and the names of the County Board members who made and seconded the motion

5. A record of any action taken by the County Board and the vote or abstention on that action by each County Board member present (Government Code 54953)

County Board minutes shall not include a student's or parent/guardian's address, telephone

First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education: ____________________
number, date of birth, or email address, or a student's name or other directory information as defined in Education Code 49061, if a parent/guardian or student age 18 or older submits a written request to the secretary or clerk to the County Board.  (Education Code 49073.2)

(cf. 9100 - Organization)

The secretary of the County Board or designee shall distribute a copy of the "unapproved" minutes of the previous meeting(s) with the agenda for the next regular meeting. The County Board shall approve the minutes as circulated or with necessary amendments.

Upon approval by the County Board, the minutes shall be signed by the Board President or Designee.

Official County Board minutes and recordings shall be stored in a secure location and shall be retained in accordance with law.

Any minutes or recordings kept for County Board meetings held in closed session shall be kept separately from the minutes or recordings of regular and special meetings. Minutes or recordings of closed sessions are not public records.  (Government Code 54957.2)

Recording or Broadcasting of Meetings

The district may tape, film, stream, or broadcast any open County Board meeting. At the beginning of the meeting, the County Board president shall announce that a recording or broadcasting is being made at the direction of the County Board and that the recording or broadcast may capture images and sounds of those attending the meeting. As practicable, the recorder or camera shall be placed in plain view of meeting participants.

Any County Board recording may be erased or destroyed 30 days after the meeting once the minutes of that meeting have been approved. Recordings made at the direction of the County Board during a meeting are public records and, upon request, shall be made available for inspection by members of the public on COE equipment without charge.  (Government Code 54953.5)

Legal Reference:
EDUCATION CODE
1011 County board meetings
1015 Recording votes
1040 Duties of the county board
49061 Student records; definitions
49073.2 Privacy of student and parent/guardian personal information
GOVERNMENT CODE
6250-6270 Public Records Act

First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education: ____________

132
54952.2 Meeting defined
54953 Meetings
54953.5 Audio or video recording of proceedings
54953.6 Broadcasting of proceedings
54957.2 Closed sessions; clerk; minute book
54960 Violations and remedies

PENAL CODE
632 Unlawful to intentionally record a confidential communication without consent

CODE OF REGULATIONS, TITLE 5
16020-16027 Classification and retention of records

Management Resources:
CSBA PUBLICATIONS
Call to Order: A Blueprint for Great Board Meetings, 2015
The Brown Act: School Boards and Open Meeting Laws, 2014

WEB SITES
CSBA, Agenda Online: http://www.agendaonline.com

(1/16) 1/19

First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education: ______________________________
Board Bylaw
Board Self-Evaluation

BB 9400
Board Bylaws

The County Board of Education may annually conduct a self-evaluation in order to demonstrate accountability to the community and ensure that governance effectively supports student achievement and the attainment of the County Board's vision and goals.

The evaluation may address any area of County Board responsibility, including, but not limited to, County Board performance in relation to vision setting, finance, policy development, community relations, and advocacy. The evaluation may also address objectives related to County Board meeting operations, relationships among County Board members and with the County Superintendent of Schools, understanding of County Board and County Superintendent roles and responsibilities, communication skills, or other governance or boardsmanship skills.

(cf. 9000 - Role of the Board)
(cf. 9005 - Governance Standards)

The County Board shall evaluate itself as a whole. Individual County Board members are also expected to use the evaluation process as an opportunity to assess and set goals for their own personal performance.

Each year the County Board may determine an evaluation method or instrument that measures key components of County Board responsibility and previously identified performance objectives. Visual and/or audio recordings of a County Board meeting may only be used as an evaluation tool when consent is given by all County Board members.

Any discussion involving the County Board's self-evaluation shall be conducted in open session.

At the request of the County Board, a facilitator may be used to assist with the evaluation process. The County Board may invite the County Superintendent or other individual(s) with pertinent information to provide input into the evaluation process.

Following the evaluation, the County Board may set goals, define and/or refine protocols, and establish priorities and objectives for the following year's evaluation. The County Board may also develop strategies for strengthening County Board performance based on identified areas of need, including, but not limited to, county board trainings such as those offered by the California School Boards Association and California County Boards of Education.

(cf. 9230 - Orientation)
(cf. 9240 - Board Training)

First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education: ____________________
Legal Reference:
GOVERNMENT CODE
54950-54963  Brown Act

Management Resources:
CSBA PUBLICATIONS
Professional Governance Standards for County Boards, October 2014
Defining Governance, Issue 3: Governance Practices, Governance Brief, April 2014
WEB SITES
CSBA: http://www.csba.org

First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education: _______________
Board Bylaw
County Superintendent's Remuneration

BB 9500
Board Bylaws

The County Board of Education believes that the County Superintendent of Schools renders essential services that promote the success of students and of the educational programs of the county office of education and should be fairly compensated for such service. In accordance with law, the County Board shall fix the salary of the County Superintendent and may adopt a remuneration package that includes, but is not limited to, salary, allowances, health and welfare benefits, and other benefits as appropriate.

The County Board may determine the County Superintendent's salary at any point during the term of employment. However, any decreases in salary shall only be considered in consultation with legal counsel.

The County Superintendent shall not increase the County Superintendent's own salary, financial remuneration, benefits, or pension without bringing the matter to the attention of the County Board for its discussion and approval. (Education Code 1209)

Any discussion and/or action taken on the County Superintendent's remuneration, including, but not limited to, salary, financial remuneration, benefits, or pension, shall take place in open session at a regularly scheduled meeting of the County Board, which shall not be held during a special meeting. (Education Code 1209; Government Code 54956)

(cf. 9320 - Meetings and Notices)

During the open meeting at which the County Board will take final action on the County Superintendent's salary or fringe benefits, the County Board shall, prior to taking action, orally report a summary of the recommended action. (Government Code 54953)

Any action taken on the County Superintendent's remuneration shall be reflected in the County Board's minutes. (Government Code 53262)

The County Superintendent shall receive reimbursement for actual and necessary traveling expenses. (Education Code 1200, 1201)

Legal Reference:
EDUCATION CODE
1200-1209  Appointment, qualifications, salary and expenses of county superintendent

First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education: __________________

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GOVERNMENT CODE
3511.1-3511.2  Local agency executives
53243.3-53243.4  Abuse of office
53262  Employment Contracts
54950-54963  The Brown Act open meeting laws, especially:
54954  Time and place of regular meetings
54956  Special meetings
54957  Closed session personnel matters
54957.6  Closed session with designated representative
CALIFORNIA CONSTITUTION
Article 9, Section 3.1  County Superintendent qualifications and salary
COURT DECISIONS
Woodcock v. Dick, (1950) 36 Cal 2d 146
ATTORNEY GENERAL OPINIONS

Management Resources:
WEB SITES
CSBA:  http://www.csba.org
California County Superintendents Educational Services Association:  http://www.ccsesa.org

(1/16  3/21)

First reading by the Nevada County Board of Education: May 12, 2021
Second reading and adoption by the Nevada County Board of Education: ______________
Nevada County Superintendent of Schools  
Investment Report as of March 31, 2021

The attached Treasury Report from the Nevada County Treasurer and Tax Collector details the portfolio of investments at the Nevada County Treasury as of March 31, 2021.

The investments for Nevada County Superintendent of Schools office are as follows:

<table>
<thead>
<tr>
<th>Cash in County Treasury:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>NCSoS - County School Service Fund, Special Ed, SELPA, Charter Fund</td>
<td>$8,484,183.16</td>
</tr>
<tr>
<td>NCSoS - CCCC Child Development Fund</td>
<td>138,804.19</td>
</tr>
<tr>
<td>NCSoS - Deferred Maintenance Fund</td>
<td></td>
</tr>
<tr>
<td>NCSoS - Forest Reserve Fund</td>
<td></td>
</tr>
<tr>
<td>NCSoS- County Schools Facility Fund</td>
<td>79,199.25</td>
</tr>
</tbody>
</table>

Total NCSoS Funds in County Treasury $8,621,186.60

Cash in Revolving Funds:

<table>
<thead>
<tr>
<th>Cash in Revolving Funds:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>NCSoS - Revolving Account</td>
<td></td>
</tr>
<tr>
<td>Tri Counties Bank #501001853</td>
<td>$5,000.00</td>
</tr>
</tbody>
</table>

Total Cash in Revolving Funds $5,000.00

TOTAL CASH AND INVESTMENTS $8,707,186.60
April 9, 2021

Board of Supervisors  
County of Nevada  
Nevada City, CA 95959  

Honorable Board of Supervisors:

In accordance with Government Code Section 53646 (b) (1), I hereby submit the attached Treasury report for the third quarter ending March 31, 2021. This report includes a listing of the investments in the treasury’s portfolio as required in Government Code Section 53646 (b)(4).

As required by Government Code Section 53646 (b) (2), I hereby state that the investments in the treasury’s portfolio are in compliance with the treasurer’s investment policy.

Furthermore, as required by Government Code section 53646 (b) (3), I hereby state that the treasury has sufficient funds available to meet the projected expenditures for the next six months.

Respectfully Submitted,

[Tina M. Vernon]

Tina M. Vernon  
Treasurer & Tax Collector

cc:  Alison Lehman, County Executive Officer  
     Marcia Salter, Auditor-Controller

Nevada County Treasurer & Tax Collector  
www.mynevadacounty.com/nc/itc
April 9, 2021

Board of Supervisors
County of Nevada
Nevada City, CA 95959

Honorable Board of Supervisors:

The following report represents the Treasury’s Portfolio as of March 31, 2021.

**Portfolio Review for Month Ending March 31, 2021**

**Portfolio Composition** (includes liquid assets)

- Book Value of Assets Held $266,583,604.36
- Market Value of Assets Held $270,413,380.84
- Cash at Month End $10,573,193.57
- Assets Maturing Within 90 days (includes cash) 37.78%
- Weighted Average Maturity 570 days

**Return of Assets**

- Total Earnings Month Ended $455,393.24
- Total Earnings Fiscal YTD $3,368,104.84
- Yield to Maturity @ Cost (includes liquid assets) 1.25%
- Yield to Maturity @ Cost (without liquid assets) 1.77%

The Treasury has received **$46,395,391.60** in receipts and has paid approved expenditures of **$34,465,044.40** for a net increase of **$11,930,347.20** for the month of March 2021. Of these funds, the average percent invested for the month of March is **96.66%**. Please see attached reports for details.

Respectfully Submitted,

Tina M. Vernon
Treasurer & Tax Collector

**see next page for Apportioned Interest Information**

Nevada County Treasurer & Tax Collector

www.mynevadacounty.com/nc/ttc
### Apportioned Interest Information

<table>
<thead>
<tr>
<th>Interest Apportionment</th>
<th>Reciprocal</th>
<th>Interest Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>First quarter interest</td>
<td>0.637517079</td>
<td>2.55%</td>
</tr>
<tr>
<td>apportionment</td>
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</tr>
<tr>
<td>First Quarter Interest Earned</td>
<td>$1,418,364.19</td>
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</tr>
<tr>
<td>Cost of doing business-Treasurer</td>
<td>($51,474.41)</td>
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</tr>
<tr>
<td>Cost of doing business-Auditor</td>
<td>($20,774.12)</td>
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</tr>
<tr>
<td>One-time Interest Adjustment</td>
<td>($0.00)</td>
<td></td>
</tr>
<tr>
<td>Net Interest Apportioned</td>
<td>$1,346,115.66</td>
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<tr>
<td>Second quarter interest</td>
<td>0.0025152675</td>
<td>1.01%</td>
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<tr>
<td>apportionment</td>
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<tr>
<td>Second Quarter Interest Earned</td>
<td>$704,727.12</td>
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<tr>
<td>Cost of doing business-Treasurer</td>
<td>($53,301.43)</td>
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<tr>
<td>Cost of doing business-Auditor</td>
<td>($17,317.54)</td>
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</tr>
<tr>
<td>One-time Interest Adjustment</td>
<td>($0.00)</td>
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<tr>
<td>Net Interest Apportioned</td>
<td>$634,108.15</td>
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<tr>
<td>Third quarter interest</td>
<td>0.004557935</td>
<td>1.82%</td>
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<tr>
<td>apportionment</td>
<td></td>
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<tr>
<td>Third Quarter Interest Earned</td>
<td>$1,245,013.53</td>
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<tr>
<td>Cost of doing business-Treasurer</td>
<td>($43,634.74)</td>
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<tr>
<td>Cost of doing business-Auditor</td>
<td>($19,842.46)</td>
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<tr>
<td>One-time Interest Adjustment</td>
<td>($0.00)</td>
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</tr>
<tr>
<td>Net Interest Apportioned</td>
<td>$1,181,536.33</td>
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<tr>
<td>Fourth quarter interest</td>
<td>%</td>
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<tr>
<td>apportionment</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fourth Quarter Interest Earned</td>
<td>$</td>
<td></td>
</tr>
<tr>
<td>Cost of doing business-Treasurer</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cost of doing business-Auditor</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Net Interest Apportioned</td>
<td>$</td>
<td></td>
</tr>
</tbody>
</table>
NEVADA COUNTY TREASURER PORTFOLIO REPORTS

The following reports reflect the Nevada County Treasurer’s Investment Pool Portfolio for the period ending March 31, 2021. These reports have two primary objectives: (1) to provide information regarding portfolio holdings as to compliance with California Government Code Sections 53601 and 53635, as well as the County Treasurer’s Statement of Investment Policy, and (2) to detail portfolio characteristics of the portfolio’s investment holdings.

Portfolio Holdings – Quarterly Summary

- Provides a monthly snapshot of the entire Nevada County Portfolio at quarter end, including all interest earnings.

Portfolio Holdings by Asset Class Summary

- Provides a snapshot of the entire Nevada County Portfolio at month end. Includes liquid assets and cash.

Distribution by Asset Class – Chart

- A month-to-month comparison of distribution by Asset class for the portfolio. Calculates the percentage of each sector to ensure compliance with the Board adopted Investment Policy and all applicable State laws.

Distribution by Maturity Range – Chart

- Provides an overview of portfolio liquidity and month to month changes for the portfolio. Important for cash flow projections and overall ladder performance.

Total Rate of Return- Book Value by Month – Chart

- Checks performance of the Fixed Income Portfolio based on Investment Policy performance standards using the Treasury benchmark closest to our current weighted average maturity of the Fixed Income Portfolio. The Fixed Income Portfolio includes only marketable securities and excludes LAIF, CAMP and Money Market Accounts.

Transaction Summary by Action

- All transactions occurring for the month of report.

Portfolio Holdings by Asset Class - Detail Report

- Detailed listing of all securities held in the portfolio at month end.
The market value listing is a “snapshot” of the investments from the viewpoint of what might be financially gained or lost if the County were to sell any of the investments on the date shown at the top of this report. It is a tool used to maximize on investment income and should not be considered as a statement of actual (or realized) profits or losses. The market value lists are received from the Safekeeping Bank - Bank of the West.

Just for a point of clarity:
Unrealized profits and losses are the differences between the book value and market value of a security and do not become realized unless the security is sold prior to maturity.

<table>
<thead>
<tr>
<th>Month</th>
<th>Market Value</th>
<th>Book Value</th>
<th>Unrealized Gain/Loss</th>
<th>YTM @ Cost</th>
<th>Treasury 2 Year</th>
<th>Interest Earned</th>
<th>Days To Maturity</th>
</tr>
</thead>
<tbody>
<tr>
<td>1/31/2021</td>
<td>257,287,623.01</td>
<td>252,085,769.87</td>
<td>5,201,853.14</td>
<td>1.40</td>
<td>0.13</td>
<td>306,315.52</td>
<td>595</td>
</tr>
<tr>
<td>2/28/2021</td>
<td>258,036,390.36</td>
<td>253,636,697.69</td>
<td>4,399,692.67</td>
<td>1.35</td>
<td>0.12</td>
<td>259,628.13</td>
<td>575</td>
</tr>
<tr>
<td>3/31/2021</td>
<td>270,413,380.84</td>
<td>266,583,604.36</td>
<td>3,829,776.48</td>
<td>1.26</td>
<td>0.15</td>
<td>301,651.90</td>
<td>569</td>
</tr>
<tr>
<td>Total / Average</td>
<td>261,912,464.74</td>
<td>257,435,357.31</td>
<td>4,477,107.43</td>
<td>1.33</td>
<td>0.13</td>
<td>867,595.55</td>
<td>579</td>
</tr>
</tbody>
</table>

Tina M. Vernon, Treasurer  
Date  
04.09.21
The market value listing is a "snapshot" of the investments from the viewpoint of what might be financially gained or lost if the County were to sell any of the investments on the date shown at the top of this report. It is a tool used to maximize on investment income and should not be considered as a statement of actual (or realized) profits or losses. The market value lists are received from the Safekeeping Bank - Bank of the West.

*Just for a point of clarity:*

Unrealized profits and losses are the differences between the book value and market value of a security and do not become realized unless the security is sold prior to maturity.

<table>
<thead>
<tr>
<th>Asset Class</th>
<th>Face Amount/Shares</th>
<th>Market Value</th>
<th>Book Value</th>
<th>% of Portfolio</th>
<th>YTM @ Cost</th>
<th>Days To Maturity</th>
</tr>
</thead>
<tbody>
<tr>
<td>CD - Negotiable &gt;&gt; 30%</td>
<td>20,576,000.00</td>
<td>21,022,863.09</td>
<td>20,575,925.53</td>
<td>7.72</td>
<td>1.78</td>
<td>786</td>
</tr>
<tr>
<td>Corporate Notes &gt;&gt; 30% Limit</td>
<td>24,500,000.00</td>
<td>25,362,305.00</td>
<td>24,635,759.90</td>
<td>9.24</td>
<td>2.35</td>
<td>687</td>
</tr>
<tr>
<td>Liquid Assets &gt;&gt; 0%</td>
<td>94,695,324.50</td>
<td>94,695,324.50</td>
<td>94,695,324.50</td>
<td>35.52</td>
<td>0.32</td>
<td>1</td>
</tr>
<tr>
<td>Municipal Bonds &gt;&gt; 0% Limit</td>
<td>22,405,000.00</td>
<td>22,832,228.25</td>
<td>22,472,102.97</td>
<td>8.43</td>
<td>1.60</td>
<td>947</td>
</tr>
<tr>
<td>None</td>
<td>1,000,000.00</td>
<td>982,930.00</td>
<td>1,003,022.62</td>
<td>0.38</td>
<td>0.44</td>
<td>1,717</td>
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<tr>
<td>US Agency Bonds &gt;&gt; 0% Limit</td>
<td>97,000,000.00</td>
<td>99,429,340.00</td>
<td>97,244,456.80</td>
<td>36.48</td>
<td>1.68</td>
<td>905</td>
</tr>
<tr>
<td>US Treasury Bonds &gt;&gt; 0% Limit</td>
<td>6,000,000.00</td>
<td>6,088,390.00</td>
<td>5,957,012.04</td>
<td>2.23</td>
<td>1.66</td>
<td>1,296</td>
</tr>
<tr>
<td><strong>Total / Average</strong></td>
<td><strong>266,176,324.50</strong></td>
<td><strong>270,413,380.84</strong></td>
<td><strong>266,583,604.36</strong></td>
<td><strong>100.00</strong></td>
<td><strong>1.25</strong></td>
<td><strong>570</strong></td>
</tr>
</tbody>
</table>
# Nevada County

**Distribution by Asset Class - Market Value**

**All Portfolios**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>CD - Negotiable &gt;&gt; 30%</td>
<td>21,597,991.77</td>
<td>8.37</td>
<td>21,022,863.09</td>
<td>7.77</td>
</tr>
<tr>
<td>Corporate Notes &gt;&gt; 30% Limit</td>
<td>26,540,935.00</td>
<td>10.29</td>
<td>25,362,305.00</td>
<td>9.38</td>
</tr>
<tr>
<td>Liquid Assets &gt;&gt; 0%</td>
<td>84,168,074.99</td>
<td>32.62</td>
<td>94,695,324.50</td>
<td>35.02</td>
</tr>
<tr>
<td>Municipal Bonds &gt;&gt; 0% Limit</td>
<td>21,901,598.60</td>
<td>8.49</td>
<td>22,832,228.25</td>
<td>8.44</td>
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<tr>
<td>None</td>
<td>987,230.00</td>
<td>0.38</td>
<td>982,930.00</td>
<td>0.36</td>
</tr>
<tr>
<td>US Agency Bonds &gt;&gt; 0% Limit</td>
<td>96,686,660.00</td>
<td>38.63</td>
<td>99,429,340.00</td>
<td>36.77</td>
</tr>
<tr>
<td>US Treasury Bonds &gt;&gt; 0% Limit</td>
<td>3,153,900.00</td>
<td>1.22</td>
<td>6,088,390.00</td>
<td>2.25</td>
</tr>
<tr>
<td><strong>Total / Average</strong></td>
<td><strong>258,036,390.36</strong></td>
<td><strong>100.00</strong></td>
<td><strong>270,413,380.84</strong></td>
<td><strong>100.00</strong></td>
</tr>
</tbody>
</table>

**Portfolio Holdings as of 2/28/2021**

- 8.37% - CD - Negotiable
- 10.29% - Corporate Notes
- 32.62% - Liquid Assets
- 8.49% - Municipal Bonds
- 0.38% - None
- 38.63% - US Agency Bonds
- 1.22% - US Treasury Bonds

**Portfolio Holdings as of 3/31/2021**

- 7.77% - CD - Negotiable
- 9.38% - Corporate Notes
- 35.02% - Liquid Assets
- 8.44% - Municipal Bonds
- 0.36% - None
- 36.77% - US Agency Bonds
- 2.25% - US Treasury Bonds
## Distribution by Maturity Range - Market Value
### All Portfolios

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>0-1 Month</td>
<td>86,660,922.04</td>
<td>33.58</td>
<td>95,431,140.35</td>
<td>35.29</td>
</tr>
<tr>
<td>1-3 Months</td>
<td>4,236,730.60</td>
<td>1.64</td>
<td>6,732,003.40</td>
<td>2.49</td>
</tr>
<tr>
<td>3-6 Months</td>
<td>12,773,333.05</td>
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<td>13,800,390.10</td>
<td>5.10</td>
</tr>
<tr>
<td>6-9 Months</td>
<td>9,315,376.10</td>
<td>3.61</td>
<td>5,517,265.05</td>
<td>2.04</td>
</tr>
<tr>
<td>9-12 Months</td>
<td>9,642,553.20</td>
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<td>14,206,814.40</td>
<td>5.25</td>
</tr>
<tr>
<td>1-2 Years</td>
<td>36,106,574.20</td>
<td>13.99</td>
<td>31,265,249.30</td>
<td>11.56</td>
</tr>
<tr>
<td>2-3 Years</td>
<td>34,523,655.82</td>
<td>13.38</td>
<td>33,893,342.14</td>
<td>12.53</td>
</tr>
<tr>
<td>3-4 Years</td>
<td>37,038,249.00</td>
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<td>36,068,586.05</td>
<td>13.34</td>
</tr>
<tr>
<td>4-5 Years</td>
<td>27,736,997.35</td>
<td>10.75</td>
<td>33,498,590.05</td>
<td>12.39</td>
</tr>
<tr>
<td><strong>Total / Average</strong></td>
<td><strong>258,036,390.36</strong></td>
<td><strong>100.00</strong></td>
<td><strong>270,413,380.84</strong></td>
<td><strong>100.00</strong></td>
</tr>
</tbody>
</table>

### Portfolio Holdings as of 2/28/2021

### Portfolio Holdings as of 3/31/2021
# Nevada County
## Total Rate of Return - Book Value by Month
### All Portfolios

<table>
<thead>
<tr>
<th>Month</th>
<th>Beginning BV + Accrued Interest</th>
<th>Interest Earned During Period-BV</th>
<th>Realized Gain/Loss-BV</th>
<th>Investment Income-BV</th>
<th>Average Capital Base-BV</th>
<th>TRR-BV</th>
<th>Annualized TRR-BV</th>
<th>Treasury 2 Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>10/31/2020</td>
<td>211,445,014.00</td>
<td>281,390.61</td>
<td>0.00</td>
<td>281,390.61</td>
<td>217,265,364.33</td>
<td>0.13</td>
<td>1.57</td>
<td>0.15</td>
</tr>
<tr>
<td>11/30/2020</td>
<td>238,337,332.19</td>
<td>281,445.06</td>
<td>-224.93</td>
<td>281,220.13</td>
<td>240,442,811.41</td>
<td>0.12</td>
<td>1.41</td>
<td>0.17</td>
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<tr>
<td>12/31/2020</td>
<td>254,774,817.24</td>
<td>310,096.39</td>
<td>0.00</td>
<td>310,096.39</td>
<td>257,797,895.28</td>
<td>0.12</td>
<td>1.45</td>
<td>0.14</td>
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<tr>
<td>1/31/2021</td>
<td>323,497,589.20</td>
<td>306,315.52</td>
<td>0.00</td>
<td>306,315.52</td>
<td>315,888,789.01</td>
<td>0.10</td>
<td>1.17</td>
<td>0.13</td>
</tr>
<tr>
<td>2/28/2021</td>
<td>252,982,430.88</td>
<td>259,628.13</td>
<td>86,754.65</td>
<td>253,682.78</td>
<td>253,066,099.90</td>
<td>0.14</td>
<td>1.65</td>
<td>0.12</td>
</tr>
<tr>
<td>3/31/2021</td>
<td>254,469,381.77</td>
<td>301,651.90</td>
<td>81,115.01</td>
<td>382,766.91</td>
<td>256,842,375.43</td>
<td>0.15</td>
<td>1.80</td>
<td>0.15</td>
</tr>
<tr>
<td><strong>Total/Average</strong></td>
<td><strong>211,445,014.00</strong></td>
<td><strong>1,740,527.61</strong></td>
<td><strong>167,644.73</strong></td>
<td><strong>1,908,172.34</strong></td>
<td><strong>257,011,802.44</strong></td>
<td><strong>0.74</strong></td>
<td><strong>1.49</strong></td>
<td><strong>0.14</strong></td>
</tr>
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### Annualized TRR-BV

<table>
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<tr>
<th>Month</th>
</tr>
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<tbody>
<tr>
<td>03/2021</td>
</tr>
<tr>
<td>02/2021</td>
</tr>
<tr>
<td>01/2021</td>
</tr>
<tr>
<td>12/2020</td>
</tr>
<tr>
<td>11/2020</td>
</tr>
<tr>
<td>10/2020</td>
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</tbody>
</table>

**Legend:**
- **Portfolio**
- **Treasury 2 Year**
### Nevada County
#### Transaction Summary by Action
##### All Portfolios

<table>
<thead>
<tr>
<th>Action</th>
<th>Settlement Date</th>
<th>CUSIP</th>
<th>Face Amount / Shares</th>
<th>Description</th>
<th>Purchase Price</th>
<th>Principal</th>
<th>Interest / Dividends</th>
<th>YTM @ Cost</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Buy</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Buy</td>
<td>3/1/2021</td>
<td>91232CBQ3</td>
<td>1,000,000.00</td>
<td>T-Bond 0.5 2/28/2026</td>
<td>99.45</td>
<td>994,531.25</td>
<td>13.59</td>
<td>0.61</td>
<td>994,544.84</td>
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<tr>
<td>Buy</td>
<td>3/10/2021</td>
<td>574193UH9</td>
<td>1,000,000.00</td>
<td>State of Maryland 0.52 3/1/2025</td>
<td>100.00</td>
<td>1,000,000.00</td>
<td>0.00</td>
<td>0.52</td>
<td>1,000,000.00</td>
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<td>39573LAY4</td>
<td>250,000.00</td>
<td>Greenslate Credit Union 0.7 3/12/2026</td>
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<td>250,000.00</td>
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<td>0.70</td>
<td>250,000.00</td>
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<td>Buy</td>
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<td>3130ALG40</td>
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<td>983,902.56</td>
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<tr>
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<td>998,505.00</td>
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<td>1,000,000.00</td>
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<td>98.58</td>
<td>985,780.00</td>
<td>1,511.11</td>
<td>1.15</td>
<td>987,291.11</td>
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<td>91282CBQ3</td>
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<td>0.84</td>
<td>1,976,745.00</td>
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<td>7,181,988.51</td>
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<td><strong>Deposit</strong></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Deposit</td>
<td>3/1/2021</td>
<td>MM7323</td>
<td>6.27</td>
<td>Bank of the West MM</td>
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<td>0.00</td>
<td>0.00</td>
<td>6.27</td>
</tr>
<tr>
<td>Deposit</td>
<td>3/1/2021</td>
<td>CAMP</td>
<td>52.54</td>
<td>CAMP LGIP</td>
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<td>0.00</td>
<td>0.00</td>
<td>52.54</td>
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<tr>
<td>Deposit</td>
<td>3/1/2021</td>
<td>TRIDISTRICT</td>
<td>44.44</td>
<td>Tri Counties Bank - District Cash</td>
<td>100.00</td>
<td>44.44</td>
<td>0.00</td>
<td>0.00</td>
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<tr>
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<td>3/1/2021</td>
<td>BOWDIST</td>
<td>1.56</td>
<td>Bank of the West - District Cash</td>
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<td>1.56</td>
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<tr>
<td>Deposit</td>
<td>3/2/2021</td>
<td>DREYFUSMM</td>
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<td>BOW MM</td>
<td>100.00</td>
<td>7.19</td>
<td>0.00</td>
<td>0.00</td>
<td>7.19</td>
</tr>
<tr>
<td>Deposit</td>
<td>3/31/2021</td>
<td>BOFA</td>
<td>22,783.50</td>
<td>Bank of America Cash</td>
<td>100.00</td>
<td>22,783.50</td>
<td>0.00</td>
<td>0.00</td>
<td>22,783.50</td>
</tr>
<tr>
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<td>4,000,000.00</td>
<td>LAIF California LGIP-Quarterly</td>
<td>100.00</td>
<td>4,000,000.00</td>
<td>0.00</td>
<td>0.00</td>
<td>4,000,000.00</td>
</tr>
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<td>Deposit</td>
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<td>BOWDEMAND</td>
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<td>Bank of the West - Demand Account Cash</td>
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<td>1,171,652.98</td>
<td>0.00</td>
<td>0.00</td>
<td>1,171,652.98</td>
</tr>
<tr>
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<td>CHECKS</td>
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<td>Checks Cash</td>
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<td>0.00</td>
<td>99,367.19</td>
</tr>
<tr>
<td>Deposit</td>
<td>3/31/2021</td>
<td>DREYFUSMM</td>
<td>7,038,019.72</td>
<td>BOW MM</td>
<td>100.00</td>
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# Nevada County
## Transaction Summary by Action
### All Portfolios

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# Nevada County
## Transaction Summary by Action
### All Portfolios

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# Nevada County

## Transaction Summary by Action

### All Portfolios

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<th>Description</th>
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<th>Principal</th>
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| Total Sell Transactions | 6,607,498.56 | 6,698,228.56 | 17,480.29 | 6,715,708.85 |

Begin Date: 2/28/2021, End Date: 3/31/2021
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<th>Cost Value YTM @ Cost</th>
<th>Market Price YTM @ Market</th>
<th>Market Value Accrued Interest</th>
<th>% Portfolio Unre. Gain/Loss</th>
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# Nevada County
## Portfolio Holdings by Asset Class
### All Portfolios

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<th>Description</th>
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<th>Face Amount / Shares</th>
<th>Settlement Date</th>
<th>Cost Value YTM @ Cost</th>
<th>Market Price Book Value</th>
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<th>% Portfolio Unrec. Gain/Loss</th>
<th>Credit Rating</th>
<th>Credit Rating</th>
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## Nevada County
### Portfolio Holdings by Asset Class
#### All Portfolios

**Date:** 3/31/2021

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<thead>
<tr>
<th>Description</th>
<th>CUSIP</th>
<th>Face Amount / Shares</th>
<th>Settlement Date</th>
<th>Cost Value YTM @ Cost</th>
<th>Market Price YTM @ Market</th>
<th>Market Value Accrued Interest</th>
<th>% Portfolio Unre. Gain/Loss</th>
<th>Credit Rating Credit Rating</th>
<th>Days To Call/Maturity Duration To Maturity</th>
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# Nevada County
## Portfolio Holdings by Asset Class
### All Portfolios

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## Nevada County
### Portfolio Holdings by Asset Class
#### All Portfolios

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<th>Face Amount / Shares</th>
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### Nevada County Holdings by Asset Class
#### All Portfolios

| Description | Date | Coupon | Settlement Date | YTM @ Cost | YTM @ Market | Market Price | Market Value | Accrued Interest | Credit Rating | Credit Rating | % Portfolio | Percentage | YTM @ Market | Market Value | Credit Rating | Credit Rating | % Portfolio | Percentage |
|-------------|------|--------|----------------|------------|--------------|--------------|--------------|-----------------|---------------|---------------|-------------|------------|-------------|-------------|--------------|--------------|---------------|-------------|------------|-------------|
| Test Exchange Bank 4-30-2025 | 2/28/2021 | 4.0% | 2/24/2021 | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% |
| First Federal Savings Loan 6/27/2025 | 2/28/2021 | 4.0% | 2/24/2021 | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% |
| Towne Bank 2/1/2026 | 2/28/2021 | 4.0% | 2/24/2021 | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% |
| USB Bank USA 3/25 6/30/2023 | 2/28/2021 | 4.0% | 2/24/2021 | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% |
| USB Bank USA 5/20/2022 | 2/28/2021 | 4.0% | 2/24/2021 | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% |
| Wells Fargo Bank NA 3/20/2022 | 2/28/2021 | 4.0% | 2/24/2021 | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% |
| Zions Bancorp NA 1/1/2021 | 2/28/2021 | 4.0% | 2/24/2021 | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% | 2.00% |

Sub Total CD - Negotiable: 30.3%
# Nevada County
## Portfolio Holdings by Asset Class
### All Portfolios

<table>
<thead>
<tr>
<th>Description</th>
<th>CUSIP</th>
<th>Face Amount / Shares</th>
<th>Settlement Date</th>
<th>YTM @ Cost</th>
<th>Cost Value Book Value</th>
<th>Market Price YTM @ Market</th>
<th>Market Value Accrued Interest</th>
<th>% Portfolio Unre. Gain/Loss</th>
<th>Credit Rating</th>
<th>Days To Call/Maturity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Corporate Notes &gt;&gt; 30% Limit</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
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<td>1.80</td>
<td>1,990,500.00</td>
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<td>2,012,580.00</td>
<td>0.75%</td>
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<td>037833AY6</td>
<td>2,000,000.00</td>
<td>12/21/2017</td>
<td>2.35</td>
<td>1,984,250.00</td>
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<td>2,032,900.00</td>
<td>0.75%</td>
<td>S&amp;P-AA+</td>
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<td>06406RAG2</td>
<td>1,000,000.00</td>
<td>5/1/2018</td>
<td>3.43</td>
<td>1,003,000.00</td>
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<td>1,063,430.00</td>
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<td>5/17/2016</td>
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<td>2,002,480.00</td>
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<tr>
<td>Clitbank NA 3.65 1/23/2024-19</td>
<td>17325FAS7</td>
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<td>2.07</td>
<td>2,127,000.00</td>
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<td>2,161,420.00</td>
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</tr>
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<td>Coca Cola 1.75 9/6/2024-19</td>
<td>191216CL2</td>
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<td>498,365.00</td>
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<td>Exxon Mobil Corp 2.019 8/16/2024-24</td>
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<tr>
<td>Johnson and Johnson 2.25 3/3/2022-22</td>
<td>476160CD4</td>
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<td>2.26</td>
<td>1,999,841.02</td>
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<td>2,036,440.00</td>
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<tr>
<td>JPMorgan Chase &amp; Co 3.875 2/11/2024</td>
<td>46625JHT8</td>
<td>1,000,000.00</td>
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<td>3.17</td>
<td>1,031,840.00</td>
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<td>1,059,200.00</td>
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<tr>
<td>Microsoft Corp 2.4 2/6/2022-17</td>
<td>584918BW3</td>
<td>2,000,000.00</td>
<td>2/6/2017</td>
<td>2.42</td>
<td>1,996,126.00</td>
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<td>2,032,940.00</td>
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<td>S&amp;P-AAA</td>
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<tr>
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<td>11/16/2017</td>
<td>2.30</td>
<td>1,016,270.00</td>
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<td>1,035,280.00</td>
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<td>Moody's-Aaa</td>
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</tr>
</tbody>
</table>
## Nevada County
### Portfolio Holdings by Asset Class
#### All Portfolios

**Date:** 3/31/2021

<table>
<thead>
<tr>
<th>Description</th>
<th>Face Amount / Shares</th>
<th>Settlement Date</th>
<th>Cost Value</th>
<th>Market Price</th>
<th>Market Value</th>
<th>% Portfolio</th>
<th>Credit Rating</th>
<th>Days To Call/Maturity</th>
<th>Duration To Maturity</th>
</tr>
</thead>
<tbody>
<tr>
<td>New York Life Global FDG 0.85 1/15/2026</td>
<td>1,000,000.00</td>
<td>3/19/2021</td>
<td>985,780.00</td>
<td>97.67</td>
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<td>0.37%</td>
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<td>806</td>
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<tr>
<td>Pfizer Inc 3 6/15/2023</td>
<td>1,000,000.00</td>
<td>3/13/2019</td>
<td>1,019,050.00</td>
<td>106.54</td>
<td>1,055,360.00</td>
<td>0.38%</td>
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<tr>
<td>7170810DH3</td>
<td>1,000,000.00</td>
<td>10/9/2019</td>
<td>502,370.00</td>
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<td>520,900.00</td>
<td>0.15%</td>
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<tr>
<td>Toyota Motor Credit Corp 2 10/7/2024-24</td>
<td>1,000,000.00</td>
<td>7/13/2017</td>
<td>1,018,740.00</td>
<td>103.20</td>
<td>1,032,040.00</td>
<td>0.38%</td>
<td>S&amp;P-AAA</td>
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<td>469</td>
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<tr>
<td>89236TQL3</td>
<td>500,000.00</td>
<td>1,004,813.29</td>
<td>6,066.67</td>
<td>27,226.71</td>
<td>469</td>
<td>S&amp;P-AAA</td>
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<td>Toyota Motor Credit Corp 2.8 7/13/2022</td>
<td>500,000.00</td>
<td>9/27/2019</td>
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<td>99.80</td>
<td>498,980.00</td>
<td>0.19%</td>
<td>Moody's-A3</td>
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<td>1,004,212.13</td>
<td>106.72</td>
<td>1,067,160.00</td>
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<td>Toyota Motor Credit Corp Step 9/27/2024-21</td>
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<td>5/1/2019</td>
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<td>1,066,540.00</td>
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<td>0.00</td>
<td>0.00</td>
<td>NR</td>
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<td>1</td>
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<td>US Bank NA 3.4 7/24/2023-23</td>
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<td>50,156.92</td>
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<td>0.02%</td>
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<td>1</td>
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<td>Walmart Inc 3.4 6/26/2023-23</td>
<td>1,000,000.00</td>
<td>9/4/2013</td>
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<td>0.00</td>
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**Sub Total Corporate Notes > 30% Limit**: 24,734,251.00

**Liquid Assets > 0%**

<table>
<thead>
<tr>
<th>Description</th>
<th>Settlement Date</th>
<th>Cost Value</th>
<th>Market Value</th>
<th>% Portfolio</th>
<th>Credit Rating</th>
<th>Days To Call/Maturity</th>
<th>Duration To Maturity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bank of America Cash</td>
<td>6/30/2013</td>
<td>76,899.30</td>
<td>100.00</td>
<td>0.03%</td>
<td>NR</td>
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<tr>
<td>BOFA</td>
<td>76,899.30</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>NR</td>
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<tr>
<td>Bank of the West - Credit Card Other Cash</td>
<td>10/10/2013</td>
<td>45,593.84</td>
<td>100.00</td>
<td>0.02%</td>
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<td>BOWCCO</td>
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<td>0.00</td>
<td>0.00</td>
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<td>Bank of the West - Demand Account Cash</td>
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<td>BOWDEMAND</td>
<td>9,150,505.74</td>
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<td>0.00</td>
<td>0.00</td>
<td>NR</td>
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<td>0</td>
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</tbody>
</table>
# Nevada County
## Portfolio Holdings by Asset Class
### All Portfolios

<table>
<thead>
<tr>
<th>Description</th>
<th>CUSIP</th>
<th>Face Amount / Shares</th>
<th>Settlement Date</th>
<th>YTM @ Cost</th>
<th>Cost Value @ Book Value</th>
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<th>% Portfolio Unre. Gain/Loss</th>
<th>Credit Rating</th>
<th>Days To Call/Maturity</th>
<th>Duration To Maturity</th>
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</thead>
<tbody>
<tr>
<td>Bank of the West - District Cash</td>
<td>BOWDIST</td>
<td>47,941.70</td>
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<td>Bank of the West - Tax Credit Card Cash</td>
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<td>365,065.19</td>
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<td>365,065.19</td>
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<td>365,065.19</td>
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<td>MM7323</td>
<td>90,853.21</td>
<td>9/16/2013</td>
<td>0.09</td>
<td>90,853.21</td>
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<td>90,853.21</td>
<td>0.03%</td>
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<td>BOW MM</td>
<td>9,309,538.51</td>
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<td>DREYFUSMM</td>
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<td>5/30/2013</td>
<td>0.01</td>
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<td>241,685.53</td>
<td>100.00</td>
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<td>1</td>
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<tr>
<td>Sub Total Liquid Assets &gt;&gt; 0%</td>
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<td>94,695,324.50</td>
<td>35.52%</td>
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<td>94,695,324.50</td>
<td>71,532.05</td>
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<td>1</td>
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## Municipal Bonds >> 0% Limit
<table>
<thead>
<tr>
<th>Description</th>
<th>CUSIP</th>
<th>Face Amount / Shares</th>
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<th>% Portfolio Unre. Gain/Loss</th>
<th>Credit Rating</th>
<th>Days To Call/Maturity</th>
<th>Duration To Maturity</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Santa Rosa CA Wastewater 0.627 9/1/2024</td>
<td>802649THB</td>
<td>1,000,000.00</td>
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<td>0.46</td>
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<td>1.37</td>
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<tr>
<td>Fremont Unified School Dist 0.682 8/1/2025</td>
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<td>-26,289.24</td>
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<td>3.37</td>
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</tbody>
</table>
## Nevada County
### Portfolio Holdings by Asset Class
#### All Portfolios

<table>
<thead>
<tr>
<th>Description</th>
<th>CUSIP</th>
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<th>Cost Value</th>
<th>Market Value</th>
<th>Market Value Unreq. Gain/Loss</th>
<th>Credit Rating</th>
<th>Credit Rating</th>
<th>Days To Call/Maturity</th>
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</thead>
<tbody>
<tr>
<td>MICHIGAN STATE STRATEGIC FUND 2.131</td>
<td>10'19/2021-16</td>
<td>10/27/2016</td>
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<td>8/10/2016</td>
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<td>541,398.00</td>
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Date: 3/31/2021
### Nevada County Portfolio Holdings by Asset Class

#### All Portfolios

<table>
<thead>
<tr>
<th>Description</th>
<th>CUSIP</th>
<th>Settlement Date</th>
<th>Face Amount / Shares</th>
<th>Cost Value</th>
<th>Market Price</th>
<th>Market Value</th>
<th>% Portfolio Unre. Gain/Loss</th>
<th>Credit Rating</th>
<th>Days To Call/Maturity</th>
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<td>1/22/2020</td>
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<td>State of Hawaii 0.57 8/1/2025-20 419792YOQ3</td>
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<td>992,400.00</td>
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<td>1,000,000.00</td>
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<td>992,200.00</td>
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<td>03.8%</td>
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<td>1,006,720.00</td>
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<td>12/8/2016</td>
<td>505,200.00</td>
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<tr>
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<td>983,600.00</td>
<td>1,018,060.00</td>
<td>21,644.11</td>
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<td>1/1/2017</td>
<td>246,720.00</td>
<td>251,347.50</td>
<td>790.00</td>
<td>100.54</td>
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<td>8/1/2019</td>
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<td>1,058,060.00</td>
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<td>103.01</td>
<td>329,632.00</td>
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<td>!2%</td>
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<td>22,472,102.97</td>
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<td>112,941.43</td>
<td>360,125.28</td>
<td>8.45%</td>
<td>NR</td>
<td>936</td>
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None
# Nevada County
## Portfolio Holdings by Asset Class
### All Portfolios

| Description | CUSIP | Face Amount / Shares | Settlement Date | YTM @ Cost | Cost Value | Book Value | Market Price | Market Value | % Portfolio | Credit Rating | Credit Rating | Days To Call/Maturity | Duration To Maturity |
|-------------|-------|----------------------|----------------|------------|------------|------------|--------------|--------------|-------------|--------------|---------------|---------------|------------------------|---------------------|
| FHLB 0.5 12/12/2025 | FHLB 0.5 12/12/2025 | 1,000,000.00 | 1/29/2021 | 1,003,130.00 | 98.29 | 982,930.00 | 0.38% | None | 4.64 | 1717 | 1717 |
| 3130AKRG3 | 3130AKRG3 | 1,000,000.00 | 1/29/2021 | 1,003,022.62 | 0.87 | 1,007,960.00 | 0.38% | None | 4.64 | 1717 | 1717 |
| Sub Total None | Sub Total None | 1,000,000.00 | 1/29/2021 | 1,003,130.00 | 98.29 | 982,930.00 | 0.38% | None | 4.64 | 1717 | 1717 |
| US Agency Bonds >> 0% Limit | US Agency Bonds >> 0% Limit | 1,000,000.00 | 9/2/2020 | 999,750.00 | 98.45 | 984,530.00 | 0.38% | NR | 1618 | 1618 |
| FFCB 0.45 9/2/2025 | FFCB 0.45 9/2/2025 | 1,000,000.00 | 9/2/2020 | 999,750.00 | 98.45 | 984,530.00 | 0.38% | NR | 4.38 | 1618 |
| 3133ELR5R1 | 3133ELR5R1 | 1,000,000.00 | 9/2/2020 | 999,778.75 | 0.81 | 362.50 | -15,248.75 | NR | 4.38 | 1618 |
| FFCB 0.46 11/3/2025 | FFCB 0.46 11/3/2025 | 2,000,000.00 | 11/3/2020 | 1,988,816.00 | 98.25 | 1,964,900.00 | 0.75% | NR | 1678 | 1678 |
| 3133EMFS6 | 3133EMFS6 | 2,000,000.00 | 11/3/2020 | 1,988,911.96 | 0.88 | 3,782.22 | -34,011.96 | NR | 1678 |
| FFCB 1.5 10/16/2024 | FFCB 1.5 10/16/2024 | 1,000,000.00 | 10/18/2019 | 993,500.00 | 103.50 | 1,035,040.00 | 0.37% | S&P-AA+ | 1295 | 1295 |
| 3133EK3B0 | 3133EK3B0 | 1,000,000.00 | 10/18/2019 | 995,367.67 | 0.70 | 6,785.00 | 39,652.33 | Moody's-Aaa | 3.44 | 1295 |
| FFCB 1.8 8/16/2024 | FFCB 1.8 8/16/2024 | 1,000,000.00 | 8/29/2019 | 1,007,640.00 | 103.80 | 1,037,980.00 | 0.38% | Moody's-Aaa | 1234 | 1234 |
| 3133EK6A3 | 3133EK6A3 | 1,000,000.00 | 8/29/2019 | 1,005,197.22 | 0.46 | 2,000.00 | 32,782.78 | S&P-AA+ | 3.29 | 1234 |
| FFCB 1.6 9/17/2024 | FFCB 1.6 9/17/2024 | 1,000,000.00 | 9/17/2019 | 995,030.00 | 103.83 | 1,038,280.00 | 0.37% | S&P-AA+ | 1266 | 1266 |
| 3133EK5P7 | 3133EK5P7 | 1,000,000.00 | 9/17/2019 | 996,556.09 | 0.48 | 622.22 | 41,723.91 | Moody's-Aaa | 3.38 | 1266 |
| FFCB 1.6 8/21/2024 | FFCB 1.6 8/21/2024 | 1,000,000.00 | 11/14/2019 | 991,320.00 | 103.96 | 1,039,610.00 | 0.37% | S&P-AA+ | 1316 | 1316 |
| 3133EK6U0 | 3133EK6U0 | 1,000,000.00 | 11/14/2019 | 993,717.61 | 0.51 | 6,454.86 | 45,892.39 | Moody's-Aaa | 3.49 | 1316 |
| FFCB 1.65 12/2/2025 | FFCB 1.65 12/2/2025 | 1,000,000.00 | 1/30/2020 | 1,007,990.00 | 103.50 | 1,035,040.00 | 0.38% | S&P-AA+ | 1394 | 1394 |
| 3133ELJ7 | 3133ELJ7 | 1,000,000.00 | 1/30/2020 | 1,006,119.81 | 0.72 | 3,116.87 | 28,920.19 | Moody's-Aaa | 3.7 | 1394 |
| FFCB 1.65 11/1/2024 | FFCB 1.65 11/1/2024 | 1,000,000.00 | 11/8/2019 | 991,891.00 | 104.04 | 1,040,430.00 | 0.37% | Moody's-Aaa | 1311 | 1311 |
| 3133EK4Y9 | 3133EK4Y9 | 1,000,000.00 | 11/8/2019 | 994,158.85 | 0.51 | 6,875.00 | 46,271.15 | S&P-AA+ | 3.47 | 1311 |
| FFCB 1.75 9/13/2022 | FFCB 1.75 9/13/2022 | 2,000,000.00 | 9/15/2017 | 2,000,000.00 | 102.31 | 2,064,220.00 | 0.75% | Moody's-Aaa | 531 | 531 |
| 3133EHEYR8 | 3133EHEYR8 | 2,000,000.00 | 9/15/2017 | 2,000,000.00 | 0.15 | 1,750.00 | 46,220.00 | S&P-AA+ | 1.44 | 531 |
| FFCB 1.85 7/26/2024 | FFCB 1.85 7/26/2024 | 1,000,000.00 | 8/5/2019 | 1,005,218.00 | 104.60 | 1,046,010.00 | 0.38% | S&P-AA+ | 1213 | 1213 |
| 3133EKW4 | 3133EKW4 | 1,000,000.00 | 8/5/2019 | 1,003,463.45 | 0.45 | 3,340.28 | 42,526.55 | Moody's-Aaa | 3.23 | 1213 |
# Nevada County Portfolio Holdings by Asset Class

**All Portfolios**

<table>
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<tr>
<th>Description</th>
<th>CUSIP</th>
<th>Face Amount / Shares</th>
<th>Settlement Date YTM @ Cost</th>
<th>Cost Value Book Value</th>
<th>Market Price YTM @ Market</th>
<th>Market Value Accrued Interest</th>
<th>% Portfolio Unre. Gain/Loss</th>
<th>Credit Rating</th>
<th>Days To Call/Maturity</th>
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<td>7/19/2017</td>
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<td>102.28</td>
<td>2,045,660.00</td>
<td>0.75%</td>
<td>S&amp;P-AAA</td>
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<td>Moody's-Aaa</td>
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<td>6/3/2019</td>
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<td>1,054,760.00</td>
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<td>S&amp;P-AA+</td>
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<td>0.76%</td>
<td>Moody's-Aaa</td>
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## Nevada County

### Portfolio Holdings by Asset Class

**All Portfolios**

**Date:** 3/31/2021

<table>
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<tr>
<th>Description</th>
<th>Face Amount / Shares</th>
<th>Settlement Date</th>
<th>Cost Value @ YTM</th>
<th>Market Price @ YTM</th>
<th>Market Value @ Accrued Interest</th>
<th>% Portfolio Unrecovered Gain/Loss</th>
<th>Credit Rating</th>
<th>Days To Call/Maturity Duration To Maturity</th>
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<tbody>
<tr>
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<td>3/15/2021</td>
<td>983,597.00</td>
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<td>0.37%</td>
<td>S&amp;P-AA+</td>
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<td>999,380.00</td>
<td>99.15</td>
<td>991,530.00</td>
<td>0.37%</td>
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<td>1808</td>
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## Nevada County
### Portfolio Holdings by Asset Class
#### All Portfolios

**Date:** 3/31/2021

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<th>Settlement YTM @ Cost</th>
<th>Settlement Book Value</th>
<th>Market Price YTM @ Market</th>
<th>Market Value Accrued Interest</th>
<th>% Portfolio Unre. Gain/Loss</th>
<th>Credit Rating Credit Rating</th>
<th>Days To Call/Maturity Duration To Maturity</th>
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<th>Days To Call/Maturity</th>
<th>% unrealized gain/loss</th>
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### Nevada County
**Portfolio Holdings by Asset Class**

**All Portfolios**

**Date:** 3/31/2021

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<th>Cost Value @ Book Value</th>
<th>Market Price @ YTM @ Market</th>
<th>Market Value @ Accrued Interest</th>
<th>% Portfolio Unrel. Gain/Loss</th>
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<th>Days To Call/Maturity</th>
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**Sub Total US Agency Bonds >> 0% Limit**

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<th>Market Value @ Accrued Interest</th>
<th>% Portfolio Unrel. Gain/Loss</th>
<th>Credit Rating</th>
<th>Days To Call/Maturity</th>
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**US:Treasury Bonds >> 0% Limit**
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NEVADA COUNTY
PRINT BALANCE SHEETS BY FUND

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April 26, 2021

Torie Gibson, Ed.D., Superintendent
Penn Valley Union Elementary School District
17328 Penn Valley Drive, Suite A
Penn Valley, CA 95946

Re: Third Quarter Williams Review Report
Fiscal Year 2020 – 2021

Dear Superintendent Gibson:

California Education Code Section 1240 requires that a representative of my office visit schools identified in our county, review information in the areas noted below, and report to you the results of our visits and reviews. Due to the COVID-19 pandemic, the provisions described in subdivision (b) of Ed Code 1240 were waived or modified, in accordance with this section, during the portion of the 2019-20 school year in which schools were closed due to the pandemic and during the 2020-21 school year.

SB 820, (Education Finance, chaptered on 9/18/20, approved by the legislature and signed by the Governor), Section 2: Section 1241 (a)(b)(c) was added to the Ed Code waiving the annual on-site visit from March 2020 to June 2021. This waiver applied only for the time during which the school does not provide in-person instruction, and the County Superintendent of Schools office shall make a plan to visit as soon as possible. This waiver also allowed for written surveys by the administrator, for the purpose of determining sufficiency of materials. As reported in the quarterly report in September, 2020, the materials survey submitted by Christine McKeown, Principal, and the on-site visit conducted by the NCSoS Facilities Manager and Penn Valley Union ESD Facilities Manager at Ready Springs School for the first quarter of 2020 met these requirements. It is anticipated we will return to regular on-site visits next school year.

Ed Code section 1240(c)(2)(H) requires the county superintendent of schools to send quarterly reports regarding the results of school site visits and reviews conducted each quarter to the governing boards of the school districts with Williams schools. The result can then be made public at a regularly scheduled and noticed meeting of the district’s governing board.

This letter serves as the 2020-21 Third Quarterly Report for the Penn Valley Union School District, Ready Springs School.
Instructional Materials and Facilities
During the third quarter of Fiscal Year (FY) 2020-21, the Nevada County Superintendent of Schools staff did not conduct any site reviews of instructional materials or facilities.

School Accountability Report Card
The School Accountability Report Card (SARC) of Ready Springs Elementary School was reviewed for accuracy and required by Ed Code section 1240(c)(2)(J). We are happy to report that the SARC includes accurate data related to the sufficiency of textbooks and instructional materials and the cleanliness and adequacy of school facilities, including good repair.

Teacher Miss-assignments and Teacher Vacancies
There were no teacher vacancies reported for the 2020-21 school year. Pursuant to CA Ed Code §44258.9(B), Nevada County Superintendent of Schools monitored teacher assignments at Ready Springs Elementary School for two consecutive years in 2010/11 and 2011/12. They had no teacher vacancies or teacher miss-assignments; thereby allowing them to be monitored on the one-quarter cycle with other schools, last conducted in 2015/16. We report Williams data in the California Commission on Teacher Credentialing (CCTC) database every year.

Uniform Complaints
The district had no uniform complaints filed during the third quarter of FY 2020-21.

We look forward to working with you throughout the year. If you have any questions regarding the above report, please contact Teena Corker, Associate Superintendent, Educational Services at (530) 478-6400, ext. 2005.

Sincerely,

Scott W. Lay
Nevada County Superintendent of Schools