

YUBA COUNTY BOARD OF EDUCATION

935 14th Street
Marysville, CA 95901

Agenda

May 11, 2022



Marjorie Renicker, President

John Nicoletti

Carlton Ashlock

Desiree Hastey

Eva Teagarden, Vice President

Trustee Area 1

Trustee Area 2

Trustee Area 3

Trustee Area 4

Trustee Area 5



Francisco Reveles, Ed.D.
Superintendent

YUBA COUNTY BOARD OF EDUCATION

REGULAR MEETING

Wednesday, May 11, 2022 – 4:30p.m.

Yuba County One Stop, Beckwourth Room

1114 Yuba Street, Marysville, CA 95901

PUBLIC COMMENTS: Persons wishing to address the Board (Agenda Items and/or Non-Agenda Items) are requested to fill out a “Request to Speak” card before the start of the meeting and give it to the Secretary, Board President, or Superintendent. Individual speakers will be allowed five minutes to address the Board - fifteen minutes total time for public input on each item.

AGENDA

1. CALL TO ORDER, ATTENDANCE, AND PLEDGE OF ALLEGIANCE

2. PUBLIC COMMENTS

This item is being placed on the agenda to allow any member of the public to speak on agenda items and non-agenda items or to share information with the Board.

The California Government Code, Section 54954.2(a)(2) states, “No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3.”

3. APPROVAL OF AGENDA

ACTION ITEM

4. CONSENT AGENDA

ACTION ITEM

4.1 APPROVAL OF APRIL 13, 2022, BOARD MINUTES – Pages 1-4

4.2 TEMPORARY COUNTY TEACHER CERTIFICATES – Page 5

The above items are self-explanatory. All items on the Consent Agenda are considered a routine item or one that has been previously discussed. Any Board Member may request that an item be pulled for further discussion.

5. SUPERINTENDENT’S REPORT

5.1 THIS ITEM PROVIDES AN OPPORTUNITY FOR THE DIRECTORS/SUPERINTENDENT/BOARD MEMBERS TO SHARE VARIOUS ITEMS OF INTEREST

INFORMATION ITEM

5.2 COMMUNITY ENGAGEMENT LIAISON UPDATE
Amy Nore

INFORMATION ITEM

6. ELECTIONS

- 6.1 ADOPTION OF RESOLUTION 2022-01 - **ACTION ITEM**
SPECIFICATIONS OF ELECTION ORDER - Pages 6-7

Education Code requires all Governing Board elections to be consolidated. In accordance, a Notice of Consolidated Election and a Specification of Election Order is enclosed.

Recommend the Board adopt Resolution 2022-01 - Specification of Election Order.

- 6.2 APPROVAL OF BYLAWS OF THE BOARD - **ACTION ITEM**
BB 9220 GOVERNING BOARD ELECTIONS – Pages 8-13

Board Bylaw No. 9220 - Governing Board Elections states that the Board will not assume costs related to candidates' statements in the upcoming November 8, 2022, election, and that tie votes will be determined by lot.

7. CLOSED SESSION

- 7.1 CONFERENCE WITH REAL PROPERTY NEGOTIATORS **ACTION ITEM**
Government Code 54956.8
Property: 935 14th Street, Marysville, CA 95901; 1128 Yuba Street, Marysville, CA 95901
COE Negotiator: Dr. Francisco Reveles
Negotiating Parties: Yuba County Board of Education; Yuba County Office of Education;
County of Yuba
Under Negotiation: Logistics, Price, and Terms of Payment

- 7.2 RECONVENE IN OPEN SESSION **ACTION ITEM**
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.)

8. ADVANCED PLANNING

- 8.1 NEXT REGULAR BOARD MEETING **INFORMATION/**
JUNE 15, 2022 – 4:30P.M. **ACTION ITEM**
LOCATION: YUBA COUNTY ONE STOP,
BECKWOURTH ROOM, 1114 YUBA STREET, MARYSVILLE, CA 95901

9. ADJOURN **ACTION ITEM**

**YUBA COUNTY BOARD OF EDUCATION
REGULAR MEETING MINUTES**

Wednesday, April 13, 2022 – 4:30pm

Yuba County One Stop, Beckwourth Room, 1114 Yuba Street, Marysville, CA 95901

TOPIC	DISCUSSION	ACTION TAKEN
1. CALL TO ORDER	President Marjorie Renicker called a regular meeting of the Yuba County Board of Education to order at 4:30pm on April 13, 2022, at the Yuba County One Stop, Beckwourth room, 1114 Yuba Street, Marysville, CA.	CALLED TO ORDER: 4:30pm
ATTENDANCE, PLEDGE OF ALLEGIANCE	Present were Marjorie Renicker, John Nicoletti, Carlton Ashlock and Eva Teagarden. Desiree Hastey was absent. Dr. Reveles led the recital of the Pledge of Allegiance.	QUORUM PRESENT
2. PUBLIC COMMENTS	Cynthia Soares shared information on the upcoming 8 th grade promotion and high school graduation at Yuba County Career Preparatory Charter School (YCCPCS).	
3. APPROVAL OF AGENDA	President Renicker directed Board members to the April 13, 2022, Agenda for their review and approval.	MOTION: To approve the April 13, 2022, Agenda as presented MOTION: Eva Teagarden SECOND: John Nicoletti MOTION APPROVED (4/5)
4. CONSENT AGENDA	President Renicker directed board members to the April 13, 2022, Consent Agenda for their review and approval. 4.1 Approval of March 9, 2022, Board Meeting Minutes 4.2 Temporary County Teacher Certificates	MOTION: To approve the April 13, 2022, Consent Agenda as presented MOTION: John Nicoletti SECOND: Eva Teagarden MOTION APPROVED (4/5)

5. SUPERINTENDENT’S REPORT

5.1 This Item Provides an Opportunity for the Directors/Superintendent/Board Members to Share Various Items of Interest

Dr. Reveles shared the following items:

- March 10 – Marysville Rotary Speech Contest Judge
- March 14 – Outreach to Law Enforcement/Fire Responders in Collaboration with Dr. Luu
- March 15 – AcaDeca Awards Presentation, Marysville High School
- March 16 – Meeting with County to Evaluate Dr. Luu’s Performance
- March 17 – Site Visit to YCCPCS
- March 17 – Meeting with CSEA
- March 21 – County Supt. Meeting with District Supts
- March 22 – Office of Civil Rights Meeting
- March 23 - Public Television Outreach to Latino Community - Villagrana
- March 25 – Kynoch School Visit in Support of Staff
- March 29 – Meeting/Lunch with the “Mod Squad”
- April 1 – 93Q Radio Interview
- April 4 – Safety Summit Planning Meeting
- April 8 - Virginia School Easter Egg Hunt
- April 13 – Marysville Roll & Stroll Site Walk-Through and Planning

Trustee Nicoletti shared information on a pancake breakfast and fishing derby scheduled on May 21, 2022.

	<p style="text-align: center;">5.2 Community Engagement Liaison Update</p> <p>Amy Nore shared the following items:</p> <ul style="list-style-type: none"> • Together More Than Ever Newsletter • Information on Blue Zones Project • Yuba County Track Meet – May 5th at Wheatland High School • COVID-19 – YCOE Update <p style="text-align: center;">5.3 Memorial Planning for Former Board Member George Smith</p> <p>President Renicker led the board in a discussion on memorial planning for former Trustee George Smith.</p> <p>Ms. Pomeroy will work with the board on logistics and will bring option back to the board once available.</p> <p style="text-align: center;">5.4 Quarterly Report on Williams Complaints</p> <p>Dr. Reveles reviewed the 3rd Quarter Report on Williams Uniform Complaints. No complaints were filed January 1, 2022 – March 31, 2022.</p>	
<p>6. EDUCATION SERVICES</p>	<p style="text-align: center;">6.1 Title XV Annual Juvenile Hall Educational Program Inspection</p> <p>Assistant Superintendent of Instruction Bobbi Abold reviewed the Title XV Annual Juvenile Hall Education Program Inspection report. She noted that it was a virtual inspection this year due to COVID-19. There were no findings. She requested board approval.</p>	<p>MOTION: To approve the Title XV Annual Juvenile Hall Inspection as presented MOTION: John Nicoletti SECOND: Carlton Ashlock MOTION APPROVED (4/5)</p>
<p>7. ADVANCED PLANNING</p>	<p style="text-align: center;">7.1 Next Regular Board Meeting May 11, 2022 – 4:30pm Location: Yuba County One Stop, Beckwourth Room, 1114 Yuba Street, Marysville, CA 95901</p>	

	<p>7.2 Special Meeting YCOE Board Retreat May 11, 2022 – 2:00pm Location: Yuba County One Stop, Beckwourth Room, 1114 Yuba Street, Marysville, CA 95901</p>	
<p>8. ADJOURNMENT</p>	<p>There being no further business for discussion, the meeting adjourned at 5:22pm.</p>	<p>MOTION: To adjourn MOTION: John Nicoletti SECOND: Eva Teagarden MEETING ADJOURNED: 5:22pm</p>

Respectfully submitted,

Francisco Reveles

Francisco Reveles, Ed.D.
Superintendent, Yuba County Office of Education

Recorded by:
Halee Pomeroy

Temporary County Certificates Issued
April 1, 2022 to May 2, 2022

<u>NAME</u>	<u>CREDENTIAL APPLIED FOR</u>	<u>PREV CRED</u>	<u>TCC EXPIRE</u>
Nore, Bailey	Waiver - Speech & Language	No	7/4/2022
Powell, Jason	CTE Substitute Permit	No	11/30/2022

NOTICE OF CONSOLIDATED ELECTION

To the GOVERNING BOARD OF THE YUBA COUNTY BOARD OF EDUCATION of the County of Yuba, State of California.

You are hereby notified that Section 5000 of the Education Code requires district governing board member elections for the following districts to be held in your school district on November 8, 2022:

- Camptonville Union School District
- Marysville Joint Unified School District
- Plumas Lake Elementary School District
- Wheatland School District
- Wheatland Union High School District
- Yuba Community College District
- Yuba County Board of Education

Education Code Section 5340 states school district governing board or community college district governing board member elections for two or more districts of any type to be held in the same district or area on the same day shall be consolidated so that a person entitled to vote in both or all of such elections may do so at the same time and place and using the same ballot.

The number of governing board members to be elected:

- Three – Camptonville Union School District
- Three – Marysville Joint Unified School District
- Three – Plumas Lake Elementary School District
- Three – Wheatland School District
- Two – Wheatland Union High School District
- Four - Yuba Community College District
- Three - Yuba County Office of Education

Dated: April 12, 2022



Francisco Reveles, Ed.D., Superintendent
Yuba County Office of Education

**YUBA COUNTY BOARD OF EDUCATION
RESOLUTION NO. 2022-01**

On motion of _____, seconded by _____, the resolution set forth below was adopted by the following vote:

SPECIFICATIONS OF THE ELECTION ORDER

RESOLVED, that pursuant to Education Code Sections 1001, 5304 and 5322, the authority for the specifications of the election order, I hereby specify the following with respect to the governing board member election in the Yuba County Board of Education.

Date of Election: November 8, 2022

Purpose of Election: To elect three (3) members to the Yuba County Office of Education's Board of Trustees

Trustee Area 1: One 4-year term
Trustee Area 3: One 2-year term
Trustee Area 5: One 4-year term

CLERK'S CERTIFICATE

I hereby certify that the foregoing is a full true and correct excerpt from the Journal of the Yuba County Board of Education pertaining to the adoption of the foregoing resolution, for a regular meeting held on May 11, 2022, at 4:30 p.m.

Ayes:

Noes:

Absent:

Francisco Reveles, Ed.D.
Clerk of the Governing Board

File a copy with County Superintendent of Schools, at least 123 days (July 8, 2022) prior to the date of the election, pursuant to Education Code §5322.

Series 9000 – Board Bylaw

BB 9220

TITLE: Governing Board Elections	
Approved by: _____ <i>Francisco Reveles, Ed.D., Superintendent of Schools</i>	Series: Board Bylaw
Approved by: _____ Marjorie Renicker, Board President	Version: 4
	Effective Date: 5/11/2022
	Previous Policy Date: 9/11/2002
	Revised By: Committee
	Policy Number: BB 9220

The County Board of Education shall consist of five 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.

Election Date

The election of County Board members shall be held on the first Tuesday after the first Monday in November of each odd-numbered year. (Elections Code 1302)

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.

No candidate shall expend or accept any public money for the purpose of seeking elective office, unless the COE has established a dedicated fund for those seeking election to the County Board and such funds are available to all qualified candidates without regard to incumbency or political preference. (Government Code 85300)

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 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

Candidates for the County Board may submit a candidate statement to the elections official for inclusion in the voter's pamphlet.

When the elections official allows for the electronic distribution of candidate statements, a candidate for the County Board may, in addition to or instead of submitting a candidate statement for inclusion in the mailed voter's pamphlet, prepare and submit a candidate statement for electronic distribution.

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 appear before the County Board. At that time the County Board shall determine the winner by lot. (Education Code 5016)

Federal	Description
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
1021	Conviction of crime
10400-10418	Consolidation of elections
10509	Notice of election by secretary
10600-10604	School district elections
12940	Nondiscrimination, Fair Employment and Housing Act
1302	Local elections
1303	Exercising functions of office without having qualified
13307	Candidate's statement
13309	Candidate's statement, indigence
14025-14032	California Voting Rights Act
20	Public office eligibility
20440	Code of Fair Campaign Practices
2201	Grounds for cancellation
321	Elector
4000-4004	Elections conducted wholly by mail
424	Embezzlement and falsification of accounts by public officers
5000-5033	Elections
52 USC 10301-10508	Voting Rights Act
5220-5231	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
661	Removal for neglect or violation of official duty
68	Ops.Cal.Atty.Gen. 65 (1985)

69	Ops.Cal.Atty.Gen. 290 (1986)
81	Ops.Cal.Atty.Gen. 156 (1998)
83	Ops.Cal.Atty.Gen. 181 (2000)
85	Ops.Cal.Atty.Gen. 49 (2002)
Management Resources	Description
Attorney General Opinion	85 Ops.Cal.Atty.Gen. 49 (2002)
Attorney General Opinion	83 Ops.Cal.Atty.Gen. 181 (2000)
Attorney General Opinion	81 Ops.Cal.Atty.Gen. 98 (1998)
Attorney General Opinion	69 Ops.Cal.Atty.Gen. 290 (1986)
California School Boards Association Publication	Legal Alert on the Impact of Senate Bill No. 415 on School Board Elections, January 2017
Court Decision	Sanchez v. City of Modesto, (2006) 145 Cal. App. 4th 660
Court Decision	Rey v. Madera Unified School District, (2012) 203 Cal. App. 4th 1223
Court Decision	Randall v. Sorrell, (2006) 126 S.Ct. 2479
Court Decision	Dusch v. Davis, (1967) 387 U.S. 112
Website	Institute for Local Government
Website	Fair Political Practices Commission
Website	CSBA
Website	California Secretary of State's Office
State	Description
10301-10508	Voting Rights Act
CA Constitution Article 2, Section 2	Voters, qualifications
CA Constitution Article 7, Section 7	Conflicting offices
CA Constitution Article 7, Section 8	Disqualification from office
Ed. Code 1006	Qualifications for holding office, county board of education
Ed. Code 35107	School district employees
Ed. Code 35177	Campaign expenditures or contributions
Ed. Code 35239	Compensation of governing board member of districts with less than 70 ADA
Ed. Code 5000-5033	Election of school district board members
Ed. Code 5220-5231	Elections
Ed. Code 5300-5304	General provisions (conduct of elections)
Ed. Code 5320-5329	Order and call of elections
Ed. Code 5340-5345	Consolidation of elections
Ed. Code 5360-5363	Election notice
Ed. Code 5380	Compensation (of election officer)
Ed. Code 5390	Qualifications of voters
Ed. Code 5420-5426	Cost of elections
Ed. Code 5440-5442	Miscellaneous provisions
Ed. Code 7054	Use of district property, campaign purposes
Elec. Code 10010	District boundaries
Elec. Code 10400-10418	Consolidation of elections
Elec. Code 10509	Notice of election by secretary
Elec. Code 10600-10604	School district elections

Elec. Code 1302	Local elections, school district election
Elec. Code 13307	Candidate's statement
Elec. Code 13308	Candidate's statement contents
Elec. Code 13309	Candidate's statement, indigence
Elec. Code 14025-14032	California Voting Rights Act
Elec. Code 14050-14057	California Voter Participation Rights Act
Elec. Code 20	Public office eligibility
Elec. Code 20440	Code of Fair Campaign Practices
Elec. Code 2201	Grounds for cancellation
Elec. Code 4000-4008	Elections conducted wholly by mail
Gov. Code 1021	Conviction of crime
Gov. Code 1097	Illegal participation in public contract
Gov. Code 12940	Unlawful discriminatory employment practices
Gov. Code 1360	Necessity of taking constitutional oath
Gov. Code 81000-91014	Political Reform Act of 1974
Pen. Code 424	Embezzlement and falsification of accounts by public officers
Pen. Code 661	Removal for neglect or violation of official duty
Pen. Code 68	Bribes
Pen. Code 74	Acceptance of gratuity

Cross References**Code**

9230

Description[Orientation](#)

BYLAWS OF THE BOARD

Governing Board Elections

Any person is eligible to be a Board member, without further qualifications, if (s)he is 18 years of age or older, a citizen of the state, a resident of Yuba County, a registered voter and not legally disqualified from holding civil office. The person must reside in the area of the county represented.

A County Office of Education employee elected to the Board shall resign his/her position before being sworn in or shall have his/her employment automatically terminated upon being sworn into office.

Board of Education election procedures shall be conducted in accordance with the California Education Code and Elections Code.

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 Board, the Board shall immediately notify the candidates who received the tie votes of the time and place where lots shall be cast to determine the winner.

Statement of Qualifications

The Board shall not assume any part of the cost of printing, handling, translating or mailing of candidate's statements pursuant to Elections Code 13307.

cf: 9110 Regular and Student Members; Terms of Office

Legal Reference:

EDUCATION CODE

35107 Eligibility: school district employees

5016 Tie votes

Bylaw Adopted: March 11, 1987

Revised: May 13, 1987

Revised: September 11, 2002