



NYE COUNTY SCHOOL DISTRICT
Board of Trustees
Policy Committee Agenda

A Policy Committee of the Board of Trustees of Nye County School District will be held on Friday, February 4, 2005, beginning at 1:00 PM at the Southern District Office Boardroom, 484 S West Street, Pahrump, NV 89048.

The subjects to be discussed, considered, or acted upon are listed below. Items do not have to be taken in the order presented below and the Board may combine two or more agenda items for consideration at any time. The Board may also remove any items on the agenda or delay discussion relating to any item listed on the agenda at any time. Unless removed from the Consent Agenda, items identified within the Consent Agenda will be acted on at one time.

1. Call to Order
2. Election of Chairperson
3. Public Comment
4. Approval of Minutes of Past Meeting, Action Item
5. Review, Discussion & Recommendations Regarding Policies, Action Item
 - A. Legal Basis (0100), Type of School District (0200), General Powers of the Board (0300) & Responsibilities of the Board of Trustees (0410)
 - B. Accountability/Commitment to Accomplishment (0230) & Specific Responsibilities of Board of Trustees (0411)
 - C. Qualifications of Members (0421) & Administration of Oaths (0422)
 - D. Removal from Office (0424)
 - E. Contracts with District (0442)
 - F. Standing Board Committees (0550) & Committees of the Board (0560)
 - G. Duties of the Auditor (0580)
 - H. Student Advisors to the Board of Trustees (0590)
 - I. Meetings (0600)
 - J. Finish Review of Board Section
 - K. Recruitment of Superintendent (4115)
6. Assignments for Researching Future Topics
7. Set Date for next Policy Committee Meeting
8. Adjournment

This Meeting will be streamed live online via the link <https://livestream.nyeschools.org/ViewStream.html> on the Nye County School District website. Click on the following link if you have difficulties with the live streaming: <https://bit.ly/ncsdbotmeetings>.

Public input may be accepted live via email for the duration of the Meeting and shared during the public input designated timeframe (all rules and timelines as listed in the Agenda still apply). Public comments made by members of the public attending the meeting virtually must be emailed to publiccomment@nyeschools.org and must include:

- a. The author's first and last name
- b. The author's phone number (will not be read with comment)
- c. Date of the Meeting for which the comment is intended

Nye County School District (NCSD) will empower students to learn at their highest level in an environment of mutual respect.

The NCSD BOT Goals are as follows:

Culture

Improve and sustain a culture of learning for all through:

- ◆ Recruiting, selecting, inducting, supporting, evaluating, and developing staff.
- ◆ Fostering a safe and respectful learning and working environment.
- ◆ Promoting ongoing family and community engagement in pursuit of our vision.

Academic

Elevate achievement and support lifelong learning for all through:

- ◆ Creating and sustaining a results-focused learning environment; establishing measurable goals for all.
- ◆ Creating and sustaining an instructional framework and common language to ensure essential content standards drive instruction.

The notice for this posting was posted on the NCSD Website (<https://www.nye.k12.nv.us>), Nevada's Notice Website (<https://notice.nv.gov/>), at the main physical location of the meeting, and has also been provided to all persons who have made a specific request of a copy of the Agenda by US Mail or electronic mail. A Public Binder will be available for viewing at the scheduled location at the time of the Meeting.

NYE COUNTY SCHOOL DISTRICT NOTICE OF NONDISCRIMINATION

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The Nye County School District is pleased to provide reasonable accommodations for the disabled. Members of the public who are physically handicapped and require special accommodations or assistance to attend the meeting are requested to notify the Executive Assistant to the Superintendent and Board of Trustees in writing at 484 S West Street, Pahrump, NV 89048, email Iliana Garcia at igarcia@nyeschools.org, or call 775-727-7743, ext. 239 at least one week before the meeting.

POLICY COMMITTEE MINUTES, November 19, 2004

The meeting was called to order at 11:54 a.m. Deborah Wescoatt, Dennis Keating, Dr. William Roberts, Rod Pekarek, David Bechtel and Lisa Mays were present. Kerry Paniagua arrived at 11:58 a.m. Mrs. Wescoatt called for public comment, and there was none.

Dr. Roberts made the motion to approve the minutes from the previous meeting, and Dennis Keating seconded. Those voting aye: William Roberts, Deborah Wescoatt and Dennis Keating. Kerry Paniagua was absent for this vote. The motion carried.

Senior Class Trips

Mr. Bechtel read the emails he had received from other high school principals regarding a policy for senior class trips. Rodger Nawrocki had commented there was a need for establishing rituals and was in favor of allowing trips if they were not overnight trips. Barbara Floto supported senior trips provided adequate chaperones are procured and a contract is signed by parents and students outlining consequences for inappropriate behavior while on the trip. Sel Mulkey felt senior trips could cause the district big problems; he was completely against a policy and said trips should be the parent's responsibility, not the school district's.

Mr. Pekarek said problems in the past were caused by out-of-state trips after graduation and said there weren't too many problems from trips during the school year. Dr. Roberts said he wouldn't support any trip that takes students out of the classroom. Mr. Keating said the high school he attended used to have a grad night on Memorial weekend so students didn't lose instructional time. He liked Mrs. Floto's ideas on chaperones and contracts. There is no field trip money in the budget, so that's not an issue. He said it's nothing the board is going to broadcast, but Mr. Pekarek said once there's a policy, it is broadcast. Mr. Keating said it's something they should consider. He said the old policy about having a trip after the fact didn't make sense. Mr. Pekarek said they have to consider whether to allow overnight trips prior to graduation and said the school wouldn't get sponsors after graduation. Mrs. Wescoatt said any trips need to take place before graduation.. Mr. Bechtel said he would want control over students.

Dr. Roberts said the District has a field trip handbook. Mrs. Wescoatt said they would need the appropriate number of chaperones, and any out of state trip should be well chaperoned. Mr. Pekarek said the trips should allow only students, not graduates, and no missed class time. Mrs. Wescoatt said if they say no overnight trips, that would eliminate trips for the schools up north. Typically, schools do overnight trips with sports and there have been problems with supervision. Mr. Pekarek said the key is that the school still has a hold on them. Mrs. Wescoatt said they have a field trip handbook. Mr. Keating said there should specifically be a policy for senior class trips and since there's some resistance up north on overnights, they should put some things in place to eliminate problems. For instance, the trips should be well chaperoned such as 1:6 or 8.

Mrs. Wescoatt read the ratios for different age groups for day trips in the field trip handbooks. The ratio for high school is 1:30 for day trips and 1:15 for overnight trips. She asked if that applied to athletic trips also. Mr. Pekarek said he thought they had different criteria and said there's a difference between field trips and activity trips. Mrs. Wescoatt said according to the

field trip handbook, it's already covered unless they want a specific senior class activity. Dr. Roberts said he believes it is covered in the handbook and there would be no need for a separate policy. Mr. Pekarek said he thought 1:15 might be too few for overnight trips. Mr. Keating said if they create a policy, the word will get out. He said teachers have been approached year after year, and they have said trips aren't allowed. He thought it would be a great thing for that site if someone cared enough to consider a policy. Dr. Roberts said there's nothing to preclude it now. Mrs. Wescoatt said she liked the idea of a contract. Mr. Bechtel said he had an old policy manual and was told by everyone that senior class trips were prohibited. If he'd known it came under the guise of the field trip handbook, he wouldn't have come before the board. He would come to them if he had to take kids out of school on Friday. Mrs. Wescoatt said until a policy is revoked by the board, it is still effective. Dr. Roberts said the old policy addressed trips taken after graduation. Mr. Keating said a contract would put ownership back on the students. Mrs. Wescoatt said Mr. Bechtel knows their concerns. If he wants to make a contract, he can. She asked if the other members wanted a policy. Mr. Keating said why not remove that policy. Mrs. Wescoatt said she wants them to know that they can't take trips after graduation. Mr. Keating asked where the liability is since the District doesn't allow them to utilize government equipment. Mr. Pekarek said it reads that the District won't sponsor or approve. Mr. Bechtel assured the members that he would develop contracts and hold meetings. His concerns are if he can do it and if he can hold something over their heads and put the pressure on them. He just wanted to do it for his kids. Mrs. Wescoatt asked that the old policy be brought into the manual. Ms. Paniagua asked if she wanted it worded the same and was told yes.

School Board Negotiating Agents

Mrs. Wescoatt said the reason this policy is before the committee is that she has had requests from several board members who want a trustee on the negotiating team. Ms. Paniagua asked if agendas would then have to be posted. Mrs. Wescoatt said no because the Superintendent would appoint members of the team. Mr. Keating asked if there had ever been a professional negotiator. Mr. Pekarek said in 1986 Jim Fisher was paid, and he was used again a couple years later. Dr. Roberts said that Washoe paid a negotiator \$250 per hour, eight hours per day, for six to eight sessions. Mrs. Wescoatt asked to strike words "neither the superintendent nor board members will serve on the team." Ms. Paniagua asked if the board member can vote on the contract or would he have to recuse himself. Mrs. Wescoatt said the trustee would only be part of the caucus, not the chief negotiator, so he could vote on the contract. Mr. Pekarek said that's one of the things they have to really be careful of because the other party can direct comments to the board member, hoping that person can influence the rest of the board. He said he started negotiating in 1988. Dr. Roberts said he didn't see any other changes to this policy. Mrs. Wescoatt thought they should add "the school board member will never be the chief negotiator."

Mrs. Wescoatt said she wants to get back to making assignments for researching topics and said assignments will be made at the next meeting.

Mrs. Wescoatt set December 3, 15 minutes after the board meeting, for the next committee meeting.

The committee meeting adjourned at 12:30 p.m.



Nye County School District

BOARD OF TRUSTEES

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Tracie Ward, Vice-President
Dawn Murphy, Clerk
Shawn Hall
Dennis Keating
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William E. "Rob" Roberts, Ed.D
Superintendent

July 28, 2004

MEMORANDUM

TO: Board of Trustees
FROM: Dr. Rob Roberts, Superintendent
SUBJECT: Problems with Policy 0590

In attempting to write a regulation for policy 0590, I've discovered a few problems with the policy as written:

- The last paragraph of the policy is unnecessary because the procedure lies within the policy (see Washoe's regulation).
- The geographical area must be defined (is it each attendance area? Is it north & south? If so, what's the dividing line?).
- If you have Beatty & Pahrump in one geographical area, you don't need an interview committee because there will only be two nominees.
- How are you going to deal with displacing classes in Beatty, Gabbs and Round Mountain with morning board meetings since the videoconference equipment is located in classrooms or in a lobby where there would be disruptions every time the periods change?
- During the school year, you have 18 planned meetings. I would recommend having two students from each area for each semester and have each student from one area alternate by attending only one meeting each month. Otherwise, each student will have nine absences.

I recommend the policy be rewritten to rework the second paragraph and remove the last paragraph.

WR/kp

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0100 FOUNDATION AND BASIC COMMITMENTS

Legal Basis:

The legal basis for education in the Nye County School District is vested in the will of the people as expressed in the Constitution of the State, the statutes pertaining to education, court interpretation of the validity of these laws, and the powers implied under them.

Reviewed: May 17, 1995

Adopted: June 28, 1995

Revised:

NEPN/NSBA Classification: AA

Legal Reference: NRS 385.005(1) and (2)

0200 TYPE OF SCHOOL DISTRICT

The school district has the rights, powers and duties of a County Board of Trustees, as provided by NRS Chapter 386.

Reviewed: May 17, 1995

Adopted: June 28, 1995

Revised:

NEPN/NSBA Classification: AB

Legal Reference: NRS Chapter 386

0210 NON DISCRIMINATION STATEMENT

The Nye County School District is an equal opportunity employer. The district does not knowingly discriminate on the basis of sex, age, race, creed, or national origin.

Reviewed: May 17, 1995
Adopted: June 28, 1995
Revised:

NEPN/NSBA Classification: AC
Legal Reference: NRS 385.005

HARASSMENT/SEXUAL HARASSMENT AND INTIMIDATION

It is the policy of the NCS D (the "district") to maintain a learning and working environment free from discrimination. The district prohibits the form of discrimination known as sexual harassment or intimidation of its employees or students, whether committed by a co-worker, supervisor, subordinate, contractor, volunteer or student. Discrimination adversely affects employee morale and productivity and interferes with the student's ability to learn. The district, therefore, also prohibits hazing as well as the harassment of any person on the basis of that person's race, color, national origin, sex, age, disability, and/or religious preference, as harassment is defined by this policy and regulation. Such behavior is just cause for disciplinary action. The district will not tolerate harassing behavior in general, sex based or sexually harassing behavior between members of the same or opposite sex. The district will act promptly on reports, complaints, and grievances of harassment and sexual harassment or intimidation (including informal reports) which come to the attention of the district.

The district prohibits retaliation against any employee or student because he/she has made a report of alleged harassment or sexual harassment, or against any employee or student who has testified, assisted, or participated in the investigation of a report. Such retaliation is itself a violation of federal regulation prohibiting discrimination and will lead to disciplinary or other appropriate action against the offender.

This policy applies to harassment/sexual harassment by any individual and/or of any employee or student on district property, while on district business, or at any school-sponsored event, regardless of location. This policy applies to any student, regardless of age.

Reviewed: June 14, 1995
Adopted: June 28, 1995
Revised: August 27, 2001

NEPN/NSBA Classification: ACA, ACG

Legal Reference: Title VII of the Civil Rights Act of 1964
Title IX of the Education Amendments of 1972
NRS 200.571, 200.575, 200.581, 200.605 & 207.260

PREVENTION OF SEXUAL MISCONDUCT TOWARD STUDENTS

The NCS D prohibits and will not tolerate any form of sexual misconduct (including sexual abuse, sexual molestation and sexual harassment) toward students on the part of District employees, administrators, officials, volunteers or third parties.

This policy expands upon, and is established in addition to, the District policy on the prevention of illegal harassment. Because the District has a particular interest in maintaining student safety and well-being, it has established this additional policy to specifically address sexual misconduct toward students.

Conduct

Sexual misconduct as used in this policy is:

- Any conduct that meets the definition of sexual harassment contained in District policy;
- Any conduct or communication that explicitly or implicitly conditions a student's participation in an educational program or activity on submission to sexual conduct;
- Any conduct or communication that explicitly or implicitly indicates that an educational decision will be based on the student's submission to sexual conduct;
- Any conduct or communication of a sexual nature that is sufficiently severe, persistent, or pervasive and objectively offensive that it limits a student's ability to participate in or benefit from an educational program or activity or creates a hostile or abusive educational environment;
- Any conduct or communication that is immoral conduct within the meaning of NRS 391.311(4), including, but not limited to, sexual assault, statutory sexual seduction, incest, commission of certain sexual acts in public, open or gross lewdness, indecent exposure, and lewdness with a minor.

NOTE: The District acknowledges the applicability of *criminal* statutes relating to sexual conduct toward a student, including NRS 201.540, which indicates that it is a felony for a teacher, administrator, coach, volunteer or teacher's aide or auxiliary non-professional employee who assists with instruction or supervision of pupils, to engage in sexual conduct with pupils ages 14 through 17. Other criminal statutes which are pertinent to this policy include, but are not limited to, NRS 201.195, solicitation of a minor to engage in acts constituting crimes against nature; NRS 201.230, lewdness with a child under 14; NRS 200.366, sexual assault; NRS 200.368, statutory sexual seduction; NRS 201.560, using a computer to lure children, etc.

Examples of behavior which constitute sexual misconduct include, but are not limited to:

- Making sexual advances or gestures toward a student;
- Coercing, forcing, or attempting to coerce or force sexual intercourse or any sexual act with a student;
- Engaging in sexual intercourse or any sexual act with any student;
- Touching oneself sexually or talking about one's sexual activity in front of students;
- Spreading rumors about or discussing students' sexual activity;
- Sexually motivated or inappropriate touching, patting, grabbing, or pinching a student's body, whether that student is of the same or the opposite sex. Note: This prohibition does not preclude legitimate, non-sexual physical conduct which may include, but is not limited to, the use of necessary restraints to avoid physical harm to persons or property or conduct such as a teacher's consoling or congratulatory hug of a student or the demonstration of an athletic move by a teacher or student requiring contact with another student.
- Other sexual behavior or communication, including requests for sexual favors, whether or not accompanied by implied or overt threats concerning a student's educational status or implied or overt promises of preferential treatment.

Reporting Procedures

The District encourages every student who believes he/she has been the recipient of sexual misconduct and every student or other individual who has knowledge of sexual misconduct to report immediately the alleged act(s) to a teacher, school counselor, principal or other appropriate District official. The report may be either written or oral. The District will keep the name of the person making the report confidential to the extent possible and will make it available only to those individuals who are necessarily involved in the investigation and the administration of the complaint. The person receiving the report shall document the time and place of the report and the name of the person making the report. Any teacher, administrator, official, volunteer or other school employee who has or receives information that a student has or may have been a recipient of sexual misconduct is required to report the alleged acts to the Superintendent no longer than 48 hours after receiving the information. Failure to make this report to the Superintendent as prescribed may result in disciplinary or other appropriate action against the teacher, administrator, official, volunteer or other school employee.

(As required by NRS 432B.220, in situations where there is reasonable cause to believe that a child has been abused or neglected, a school administrator, teacher, librarian or counselor must report this to child welfare services or a law enforcement agency within 24 hours.)

Investigation

The District shall promptly investigate all complaints or allegations of sexual misconduct. It will keep all investigations confidential to the extent possible. The

District will release information obtained only to those individuals who are necessarily involved in the investigation and the administration of the complaint, or as required by law. The District will inform the individual filing the complaint, as well as the individual against whom the complaint was made, of the final determination. All employees and students questioned as part of an investigation will be told and expected to refrain from discussing the matter with anyone except agency or legal representatives.

The initial investigation will be conducted by a qualified and objective school official not named in the complaint or by an outside investigator. The investigator will act with due regard for the rights of all individuals and, in particular, to ensure any rights of students to have their parent(s)/guardian(s) present during questioning. If the initial investigation indicates that a criminal act may have occurred, the investigator shall immediately notify the Superintendent who will in turn immediately report the matter to the law enforcement agency having jurisdiction.

The District treats all complaints or allegations of sexual misconduct seriously and expects all employees and students to be candid and truthful during the investigation process. If credible evidence indicates that a participant in the investigation has made intentionally false or malicious statements, the District will discipline or take other appropriate action against the participant.

District Action

Upon determination that a violation of this policy has occurred, the District will provide written notice of the results of the investigation to the complainant and the person accused of the violation. If warranted, the District will also initiate appropriate remedial and/or disciplinary action consistent with the findings of the report and the requirements of applicable collective bargaining agreements, District policy, and state and federal laws.

Reprisal

The District will not tolerate any form of retaliation toward any person who reports alleged sexual misconduct in good faith, assists another in filing a complaint, or provides truthful statements during an investigation.

The District will discipline or take other appropriate action against any student, school personnel, volunteers, administrators or officials for threatening, intimidating or interfering with the educational or school-related extra-curricular opportunities of any person who complains of sexual misconduct, or reports sexual misconduct, or who testifies or participates in a proceeding, investigation or hearing related to a complaint of sexual misconduct.

Any student who believes he/she is being retaliated or discriminated against in any manner whatsoever as a result of having filed a complaint, provided information,

testified or participated in a proceeding, investigation or hearing related to a complaint of sexual misconduct or provided advice and/or assistance to one who filed a complaint should immediately notify the Superintendent or Principal who shall take appropriate timely action to review and resolve the allegation.

Training

All District employees, volunteers, officials and administrators will participate in an initial training session and in periodic training updates on the prevention of sexual misconduct, will be given a copy of the District's policy, and will sign an acknowledgement of receipt of such policy. The District will provide all new employees with a copy of this policy and afford employees an opportunity to discuss the contents during orientation.

Dissemination of Policy

The District will make this policy available to parents or guardians and all students, as appropriate, during annual registration. The District will also publish the policy in student handbooks and post the policy in the District administrative offices and in school offices. At least annually, the District will publicize this policy in school newsletters or other publications used to communicate District policies to parents and guardians.

Reviewed: January 15, 2003
Adopted: February 26, 2003
Revised:

NEPN/NSBA Classification: ACA/ACG, GBAA, JBA

Legal Reference: NRS 200.366, 200.368, 201.195, 201.230, 201.540, 201.560 & 391.311

0220

MISSION STATEMENT

The Nye County School District, a dynamic multi-cultural, geographically large community of all ages, will ensure that each student has the skills necessary to succeed, achieve his or her aspirations, be a productive citizen and become a life long learner.

In a safe, nurturing environment, students will meet high standards with the guidance of dedicated, well-qualified staff and teachers using effective educational practices and the latest technology in partnership with families and communities.

Reviewed: May 17, 1995
Adopted: June 28, 1995
Revised: February 25, 1998

NEPN/NSBA Classification: AD
Legal Reference:

0221 EDUCATIONAL PHILOSOPHY

We believe that each human being has intrinsic worth.

We believe that we all share the responsibility for the development of good citizens.

We believe that high expectations foster greater achievement.

We believe that people need love and respect.

We believe that a safe and nurturing environment is essential for success.

We believe that trust is essential for a productive community.

Reviewed: May 17, 1995
Adopted: June 28, 1995
Revised: February 25, 1998

NEPN/NSBA Classification: AD
Legal Reference:

TOBACCO AND TOBACCO PRODUCTS

The Nye County School District prohibits all use of tobacco and tobacco products, including smokeless tobacco, at any time on school district property that is owned, leased or rented and at any school sponsored activity. For purposes of this policy, school district property includes any building used for instruction, administration, support services, maintenance or storage; the grounds and surrounding buildings; and all district-owned vehicles.

This policy applies to all students, teachers, staff, contractors, spectators, visitors or other persons with access to school property and applies to all such facilities at all times, regardless of whether or not services are in session. Employees found to be in violation of this policy will be subject to disciplinary action in compliance with negotiated agreements. Student compliance is addressed in Board policy regarding student discipline. All others with access to school property will be asked to stop using tobacco products by school personnel in authority at the site. Any person who refuses to comply will be asked to leave the premises. Facility use agreements may be revoked if this policy is violated by group members or other persons who attend events sponsored by the group.

Information concerning assistance for the cessation of tobacco use will be available through the district.

The Maintenance and Operations Supervisor shall be responsible for ensuring that “no smoking” signs are posted in appropriate areas on school district property. The Transportation Supervisor shall be responsible for ensuring that “no smoking” signs are posted in district-owned vehicles.

Reviewed: April 10, 1996
Adopted: August 28, 1996
Revised: August 11, 2004

NEPN/NSBA Classification: ADC

Legal Reference: P.L. 103-227, NRS 202.249 & 202.2491

GUIDANCE CONCERNING RESPONSIBILITIES UNDER THE PRO-CHILDREN ACT

This guidance is to provide information concerning responsibilities under the Pro-Children Act (PCA), which was enacted on March 31, 1994, as Part C of Title X of the Goals 2000: Educate America Act, P.L. 103-227. Preliminary information, including a copy of this legislation, was mailed to Chief State School Officers in a letter dated January 4, 1995.

The following questions have been prepared to assist State educational agencies (SEAs) and local educational agencies (LEAs) and other recipients of funds awarded by the U.S. Department of Education in implementing these requirements.

Q1. What does the law require?

- A. The PCA requires that smoking not be permitted in any indoor facility, or in some cases a portion of a facility, used routinely or regularly for the provision of certain types of "children's services" to persons under age 18, if the services are funded by specified Federal programs either directly or through State or local governments.

Applicable Federal funds for these types of children's services include grants, cooperative agreements, loans, loan guarantees, contracts, and funds for construction, maintenance, and operations awarded by the Department of Health and Human Services, Education, or Agriculture [only through the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)].

Q2. Are all LEAs and SEAs affected by the PCA requirements?

- A. All LEAs and SEAs that receive funding from the U.S. Departments of Education, Health and Human Services, or Agriculture (through the nutrition program WIC) either directly, or through State or local governments, to provide routine or regular kindergarten, elementary or secondary education; library services; health services; or day care services to children must comply with the PCA requirements.

Q3. Must non-public schools implement the PCA requirements?

- A. A non-public school must implement the PCA requirements if it receives funding from the U.S. Departments of Education, Health and Human Services, or Agriculture (only through the nutrition program WIC) either directly, or through State or local governments, to provide routine or regular kindergarten, elementary or secondary education; library services; health services; or day care services to children.

A non-public school is not required to implement the PCA if it does not receive funding from the U.S. Departments of Education, Health and Human Services, or Agriculture, or if the non-public school merely receives funding under the National School Lunch and School Breakfast Program or the school's students receive services (such as compensatory education services) from an LEA.

Q4. When must SEAs, LEAs, and affected non-public schools implement the PCA requirements?

A. The PCA requirements were effective as of December 26, 1994. Therefore, covered SEAs, LEAs, and non-public schools must take prompt action to implement these requirements.

Q5. Who are considered "children" under the PCA?

A. The term "children" is defined as individuals who have not attained the age of 18.

Q6. What does the term "children's services" mean?

A. Types of services included under this term are education (kindergarten, elementary and secondary), health, day care, early childhood development (Head Start), and library services.

Q7. What does the term "indoor facility" mean?

A. The term "indoor facility" means a building that is enclosed.

Q8. Where must smoking be prohibited?

A. With respect to the provision of routine or regular kindergarten, elementary or secondary education, or library services to children, the PCA legislation requires the prohibition of smoking within any indoor facility owned, or leased, or contracted for and utilized for the provision of those children's services. This means, therefore, that smoking lounges or other separate locations for smoking within the enclosed facility (even if separately ventilated) must be prohibited.

Q9. When must smoking be prohibited?

A. At a minimum, the PCA requires that smoking not be permitted in an indoor facility during routine or regular children's services, i.e., school-sponsored activities that include children. Providers of children's services may be subject to other Federal, State, or local laws that require that smoking be prohibited at all times. In that case, the PCA does not require any change in policy. Furthermore, it is fully consistent with the PCA for providers of children's services to choose for the protection of children's health to implement a policy that prohibits smoking at all times.

Q10. Must smoking be prohibited if the facility is being used for a community or privately sponsored event such as Bingo?

A. Generally no; however, it depends on the circumstances. If the indoor facility is being used simultaneously for routine or regular children's services (i.e., school-sponsored activities that involve children) and a privately sponsored event, smoking must be prohibited in the entire indoor facility. The provider of children's services may determine

whether or not it wishes to prohibit smoking in the facility when no routine or regular children's services are being provided.

Q11. How will enforcement work?

- A. If a report is made that smoking prohibitions are not being implemented, the awarding Department will attempt to resolve the situation. If this is unsuccessful, the awarding Department could refer the case to the Department of Health and Human Services for an administrative proceeding, which could result in issuance of an administrative compliance order or an assessment of a civil penalty of up to \$1,000 per violation. Each day a violation continues constitutes a separate violation. The total penalty may not exceed the amount of applicable Federal funds received for the fiscal year in which the continuing violations occur.

Q12. Is technical assistance available?

- A. For additional guidance concerning implementation of the PCA for providers of education or library services, contact the Safe and Drug-Free Schools Program, 600 Independence Avenue, SW, The Portals - Room 604, Washington DC 20202-6123, facsimile: (202) 260-7767, phone (202) 260-3954.

For providers of health, day care, or early childhood development services, contact the Office on Smoking and Health, Centers for Disease Control and Prevention, 330 C Street, SW, Switzer Building, Room 1229, Washington, DC 20201, facsimile: (202) 205-8313, phone: (202) 205-8500.

For WIC-related questions, contact the Supplemental Food Programs Division, Food and Consumer Services, 3101 Park Center Drive, Room 540, Alexandria, Virginia 22302, facsimile: (703) 305-2420, phone: (703) 305-2746.

Q13. Where should violations be reported?

- A. For violations of the PCA by providers of education or library services, contact the Safe and Drug-Free Schools Program, 600 Independence Avenue, SW, The Portals - Room 604, Washington, DC 20202-6123, facsimile: (202) 260-7767, phone: (202) 260-3954.

For violations of the PCA by providers of health, day care, or early childhood development services, contact the Office of the Assistant Secretary for Health, Department of Health and Human Services, 200 Independence Avenue, SW, Washington, DC 20201.

For violations of the PCA related to the WIC program, contact the Supplemental Food Programs Division, Food and Consumer Services, 3101 Park Center Drive, Room 540, Alexandria, Virginia 22302, facsimile: (703) 305-2420, phone: (703) 305-2746.

0230

ACCOUNTABILITY/COMMITMENT TO ACCOMPLISHMENT

The Nye County Board of Trustees accepts its ultimate responsibility for all facets of school operations and programs. Because it is accountable to residents of the district, the Board of Trustees will maintain a program of accountability, which consists of the following elements:

1. Clear statements of expectations and purposes (i.e. philosophy, goals, and objectives) related to operations, programs, services, and positions.
2. Provisions for the staff, resources, and support necessary to achieving purposes.
3. Evaluation carefully designed to determine how well expectations and purposes are met.
4. Revisions and modifications as needed to do better.

Every effort will be made by the Board of Trustees, Superintendent, and staff to fulfill the responsibilities required by the concept of system accountability.

Reviewed: June 28, 1995
Adopted: August 9, 1995
Revised:

NEPN/NSBA Classification: AE
Legal Reference:

0300

BOARD OF TRUSTEE GOVERNANCE AND OPERATIONS

General Powers of the Board:

The Board of Trustees shall act as the general agent of the State in carrying out the will of the people of its district in the matter of public education. It shall be responsible for carrying out certain mandatory laws and shall consider and accept or reject the provisions of the permissive laws; in all cases where the State laws do not provide or prohibit, the Board of Trustees shall consider itself the agent responsible for establishing and appraising the educational activities.

Reviewed: May 17, 1995

Adopted: June 28, 1995

Revised:

NEPN/NSBA Classification: BA

Legal Reference: NRS 386.350

0301

**EVALUATION OF BOARD OF TRUSTEES/BOARD OF TRUSTEES
SELF EVALUATION**

The members of the Nye County Board of Trustees will conduct an annual self-appraisal. Purposes of the self-appraisal are to improve communication, to improve members' relationships among themselves and with the Superintendent and staff, to improve decision-making skills, and to assist the Board of Trustee's function toward efficient and effective progress.

Reviewed: June 28, 1995
Adopted: August 9, 1995
Revised:

NEPN/NSBA Classification: BAA
Legal Reference:

0410

RESPONSIBILITIES OF THE BOARD OF TRUSTEES

The Board of Trustees shall be the policy-forming body of the Nye County School District, and with the assistance of the Superintendent and the administrative staff, shall establish general policies governing the operation of the schools. As a policy-forming body, the Board functions in an inspectorial or judicial capacity.

Reviewed: May 17, 1995

Adopted: June 28, 1995

Revised:

NEPN/NSBA Classification: BBA

Legal Reference:

SPECIFIC RESPONSIBILITIES OF THE BOARD OF TRUSTEES

1. It shall be the duty of the Board of Trustees to select a Superintendent of Schools, and to delegate the authority of administering the policies of the Board of Trustees.
2. The Board shall require its Superintendent to prepare data to make recommendations, which will enable the Board of Trustees to establish sound policies.
3. The Board of Trustees (on the basis of policies established) shall determine the general nature of the educational program, including such matters as the number and types of schools and departments to be maintained and the variety and character of the services to be provided.
4. The Board of Trustees shall adopt suitable policies for all District employees with reference to qualifications for employment in various types of positions, salary schedules, leaves of absence, and other personnel policies.
5. Each year, as required by law, the Board of Trustees shall adopt an annual budget, after due consideration of such administrative and financial reports as may be required.
6. The Board of Trustees shall determine all financial policies not specifically defined by State law and shall exercise general supervision over the finances of the District in keeping with regular budgetary procedures.
7. The Board of Trustees, with the advice of the Superintendent, shall purchase sites for school buildings, and shall approve construction of school buildings.
8. The Board of Trustees shall have the power to accept on behalf of and for the school district any gift or bequest of money or property for a purpose deemed by the Board of Trustees to be suitable, and to utilize such money or property for the purpose so designated.
9. The board of trustees shall prepare a plan for implementing newly enacted statutes which directly affect pupils, parents, teachers, administrators or other educational personnel no later than 60 days after receipt of such notice from the Superintendent of Public Instruction. This plan shall be provided to parents, teachers, administrators and other employees.
10. The board shall conduct its affairs in such a manner as to keep the public informed of its policies and affairs.

Reviewed: May 17, 1995
Adopted: June 28, 1995
Revised: April 7, 2004

NEPN/NSBA Classification: BBAA

Legal Reference: NRS 241.010, 241.020, 354.596, 354.598, 385.005, 386.350, 356.360,
386.390, 387.205, 387.303

ORGANIZATION OF THE BOARD OF TRUSTEESOrganization By-Laws

Membership:

The Board of Trustees of the Nye County School District consists of seven members. These members are to be elected from the School Trustee Election Districts, which are:

Area I: Gabbs, Ione, Smoky Valley, Round Mountain, Manhattan, Currant Creek, Duckwater; Sunnyside, and Tonopah, encompassing precincts 2, 3, 4, 5, 7, 12, 13, 14, 15, 16, 17 and 35.

Area II: Beatty, Amargosa, Mercury, Forty Bar (Crystal), and that part of Pahrump N of Irene St. and E of Linda St., including Johnnie, encompassing precincts 1, 6, 8, 18 and 23.

Area III: Beginning at the Nevada/California state line at the road from Death Valley Jct. to Ash Meadows, then NE app. 1.25 miles to the road to Stewart Valley, then SE along road to Stewart Valley app. 3.5 miles to a dirt road on the E boundary of Sec. 6, T19N, R50E, MDBM, then NE along dirt road crossing the Last Chance Mountain Range to SR 160, then SE on SR 160 app. 4 miles to Carrol St., then W on Carrol to Linda St., then S on Linda to Irene St., then W on Irene to David St., then S on David to SR 372, then SW on SR 372 app. 2 miles to Barney St., then N on Barney to Irene St., then W on the Irene St. extension to the Nevada/California state line, then NW along the state line to the beginning point, encompassing precincts 9, 26 and 27.

Area IV: Beginning at the Nevada/California state line at Irene St., then E on Irene app. 7 miles to Barney St., then S on Barney app. 3.5 miles to SR 372, then NE on SR 372 to Blagg Rd., then S on Blagg and its extension app. 9 miles to the Nevada/California state line, then NW along the state line app. 16 miles to the beginning point, encompassing precincts 21, 25 and 31.

Area V: Beginning at the intersection of David St. and Irene St., then E on Irene and its extension app. 7.25 miles to the intersection of a gravel road known as the Wheeler Pass Road, then S along the Nye/Clark county line app. 7.2 miles to the Heritage Dr. extension, then W on Heritage to Vicki Ann Rd., then N on Vicki Ann app. 1.5 miles to Gamebird Rd., then W on Gamebird app. .2 miles to Unicorn Ave., then N on Unicorn app. 1 mile to Dandelion St., then continuing on Dandelion in a northerly direction app. 2 miles to SR 160, then NW on SR 160 app. ¼ mile to SR 372, then W on SR 372 app. 3.25 miles to David St., then N on David app. 2.25 miles to the beginning point, encompassing precincts 10, 19 and 29.

Area VI: Beginning on Blagg Rd. at the intersection with SR 372, then E/NE on SR 372 app. 2 miles to SR 160, then SE on SR 160 app. ½ mile to Dandelion St., then in a southerly direction on Dandelion app. 2 miles to Unicorn Ave., then S on Unicorn app. 1 mile to Gamebird Rd., then E on Gamebird app. ¼ mile to Vicki Ann Rd., then S on Vicki Ann app. 1.5 miles to Heritage Dr., then W on Heritage app. 1 mile to Pahrump Valley Blvd., then S on Pahrump Valley Blvd. and its extension to the Nevada/California state line, then NW along the state line to the Blagg Rd. extension, then N on Blagg to the beginning point, encompassing precincts 11, 28 and 30.

Area VII: Beginning at Heritage Dr. at its extension with Pahrump Valley Blvd., then E on Heritage and its extension to the E/W ¼ section line of Sec. 10, T21S, R54E, MDBM, then S along the Nye/Clark county line to the Nevada/California state line, then NW along the state line to the beginning point, encompassing precincts 20, 22 and 24.

Reviewed: May 19, 2004
Adopted: June 28, 1995
Revised: June 10, 2002

NEPN/NSBA Classification: BBB
Legal Reference: NRS 386.120

QUALIFICATIONS OF MEMBERS

To qualify as a candidate for election as a member of the Board of Trustees of the Nye County School District, an individual shall be a qualified elector of Nye County and reside within the School Trustee Election District from which he or she seeks election.

Election:

School trustee elections are held as provided in NRS 386.160. Trustees will be elected from the voters of the area in which they reside.

Terms of Office:

At the general election in 2002, trustees from odd-numbered districts shall be elected for four-year terms. At subsequent elections, trustees shall be elected for four-year terms.

At the general election in 2002, trustees from even-numbered districts shall be elected for two-year terms. At subsequent elections, trustees shall be elected for four-year terms.

Each trustee shall hold the office of trustee from the first Monday in January following his or her election until his or her successor is elected or appointed and qualified. Each trustee shall subscribe to an official oath, which shall be filed with the Nevada State Superintendent of Public Instruction.

Reviewed: May 19, 2004
Adopted: June 28, 1995
Revised: June 10, 2002

NEPN/NSBA Classification: BBBA
Legal Reference: NRS 386.160, 386.240, and 386.300

0422

ADMINISTRATION OF OATHS

Every member of the Board of Trustees may administer oaths and affirmations relating to public schools.

Oath of Office: I, (state your name), do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States, and the Constitution and Government of the State of Nevada, against all enemies, whether domestic or foreign, and that I will bear true faith, allegiance and loyalty to the same, any ordinance, resolution or law of any State notwithstanding, and that I will well and faithfully perform all duties of the office of Nye County School Board Trustee Area ___ on which I am about to enter, (if an oath) so help me God; (if an affirmation) under the pains and penalties of perjury.

Reviewed: May 19, 2004

Adopted: June 28, 1995

Revised:

NEPN/NSBA Classification: BBBB

Legal Reference: NRS 386.380

0424 REMOVAL FROM OFFICE

The recall of a member of the Board of Trustees of the Nye County School District shall be subject to the manner of removal provided for under the Constitution and laws of the State of Nevada.

Reviewed: June 2, 2004
Adopted: June 28, 1995
Revised:

NEPN/NSBA Classification: BBBD
Legal Reference: NRS 283.440

0425

VACANCIES

1. Any vacancy occurring in a Board of Trustees shall be filled by appointment by the remaining members of such Board at a public meeting held after notice of such meeting is published at least once a week for two weeks in a newspaper qualified pursuant to the provisions of NRS Chapter 238. The appointee shall serve until the next General Election, at which time the successor shall be elected for the balance of the unexpired term.

2. Any person appointed to fill a vacancy shall have the qualifications provided in NRS 386.240.

Reviewed: May 19, 2004

Adopted: June 28, 1995

Revised:

NEPN/NSBA Classification: BBBE

Legal Reference: NRS 238, 386.240 & 386.270

CODE OF ETHICAL STANDARDS

A code of ethical standards is hereby established as a guide for the conduct of the Board of Trustees and employees of the Nye County School District.

General Requirements:

1. No public officer or employee may seek or accept any gift, service, favor, employment, engagement, enrollment or economic opportunity which would tend improperly to influence a reasonable person in his position to depart from the faithful and impartial discharge of his public duties.
2. No public officer or employee may use his position in government to secure or grant unwarranted privileges, preferences, exemptions or advantages for himself, any member of his household, any business entity in which he has a significant pecuniary interest, or any other person.
3. No public officer or employee may approve, disapprove, vote, abstain from voting, or otherwise act upon any matter in which he has a significant pecuniary interest without disclosing the full nature and extent of his interest. Such a disclosure must be made before the time when he is to perform his duty or concurrently with that performance.
 - a. If the person is a member of a body, which makes decisions, he shall make disclosure to the chairman and other members of the body. If the person is not a member of such a body and holds an appointive office, he shall make disclosures to the supervisory head of his organization or if he holds an elective office, to the general public in the area from which he is elected.
4. No public officer or employee may participate as an agent of government in the negotiation or execution of a contract between the government and any private business in which he has a significant pecuniary interest. Unless specifically prohibited by law, a public officer or employee, as such, is not precluded from making a bid on a government contract if the contracting process is controlled by rules of open competitive bidding, sources of supply are limited, he has not taken part in developing the contract plans or specifications, and he will not be personally involved in opening, considering, or accepting offers.
5. No public officer or employee may accept any salary, retainer, augmentation, expense allowance or other compensation from any private source for the performance of his duties as a public officer or employee.
6. Members of the Board of Trustees represent the Nye County School District in the performance of their duties as Board members, which are defined by law in NRS Chapter 386 and under this policy. Official policy or action may only be taken by the Board of Trustees as a whole at regular or special meetings,

duly noticed in accordance with the Nevada Open Meeting law, and shall only become official policy if approved by a majority of all members of the Board of Trustees.

Any statement, action, conduct or direction made, taken or requested by an individual Board member, or by two or members, which deviates from the course and scope of the Board member's duties as defined herein and by law, are not considered to be done in the course and scope of the Board member's official duties.

Therefore, any conduct, action or statement of an individual Board member or members outside the course and scope of the Board member's or members' official duties shall not be considered as the conduct, action or statement of the Nye County School District Board of Trustees. Any legal repercussions which result from such conduct, action or statement of the individual Board member(s) will not be defended or indemnified by the Nye County School District.

Reviewed: May 17, 1995
Adopted: June 28, 1995
Revised: October 13, 1998

NEPN/NSBA Classification: BCA
Legal Reference: NRS 281.501, NRS Chapters 41 & 386

0441(a) CODE OF ETHICS FOR SCHOOL BOARD MEMBERS

As a Member of my local Board of Education, I will strive to improve public education, and to that end, I will:

1. Attend all regularly scheduled board meetings insofar as possible, and become informed concerning the issues to be considered at those meetings;
2. Recognize that I should endeavor to make policy decisions only after full discussion at publicly held board meetings;
3. Render all decisions based on the available facts and my independent judgment, and refuse to surrender that judgment to individuals or special interest groups;
4. Encourage the free expression of opinion by all board members, and seek systematic communications between the board and students, staff, and all elements of the community;
5. Work with other board members to establish effective board policies and to delegate authority for the administration of the schools to the superintendent;
6. Communicate to other board members and the superintendent expressions of public reaction to board policies and school programs;
7. Inform myself about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by my state and national school boards associations;
8. Support the employment of those persons best qualified to serve as school staff, and insist on a regular and impartial evaluation of all staff;
9. Avoid being placed in a position of conflict of interest;
10. Take no private action that will compromise the board or administration, and respect the confidentiality of information that is privileged under applicable law; and
11. Remember always that my first and greatest concern must be the educational welfare of the students attending the public schools.

Reviewed: May 9, 2000
Adopted: June 27, 2000
Revised:

NEPN/NSBA Classification: BCA
Legal Reference: NRS 281.501, Chapters 41 & 386

0442 CONTRACTS WITH DISTRICT

A Board member shall not be interested directly or indirectly in any contract with the district. They shall not perform any labor or furnish equipment and supplies.

Reviewed: May 17, 1995

Adopted: June 28, 1995

Revised:

NEPN/NSBA Classification: BCB

Legal Reference: NRS 386.305

ORGANIZATION OF THE BOARD OF TRUSTEES

Officers of the Board of Trustees:

The officers of the Board of Trustees of the Nye County School District shall be President, Vice-President and Clerk. These officers shall be elected at the first meeting in January of each year.

Immediately after the organization of the Board of Trustees, the Clerk shall file the names of the officers and members with the Nevada State Department of Education and the County Clerk of Nye County.

All members of the Board of Trustees shall be bonded in the amount of no less than \$100,000.

Election of Officers:

1. The members of the Board of Trustees shall meet annually on its regular meeting date of January and organize by choosing one member for President, one member for Vice-President and one member for Clerk. Each shall serve for a term of one year.
2. Salaries for Board of Trustees may be set in January per NRS 386.320.

Salaries of President, Clerk and other Trustees:

1. If the total pupil enrollment in the school district for the immediately preceding school year is 1,000 or more:
 - a. The Clerk and President of the Board of Trustees may each receive a salary of \$85 for each Board of Trustees meeting they attend, not to exceed \$510 a month.
 - b. The other Trustees may each receive a salary of \$80 for each Board of Trustees meeting they attend, not to exceed \$480 a month.
2. Board members are covered under worker's compensation while performing their duties.

Duties of Officers:

1. The President of the Board shall have powers as prescribed by Robert's Rules of Order, Newly Revised.
 - a. All committees shall be appointed by the President of the Board unless ordered by the Board.

- b. The President shall preside at all meetings of the Board of Trustees. He or she shall conduct all meetings in accordance with the policies, regulations and by-laws adopted by the Board. He or she shall appoint committees of study when directed by the Board. He or she shall have the right, as other members of the Board, to discuss questions.
 - c. It shall be the prerogative of the President, if there is no objection from a Board member present, to move an agenda item to a different position during the course of any meeting.
 - d. The President shall have the authority to sign all necessary documents related to the functions of the Nye County School District and those required by law under Nevada Revised Statutes.
 - e. The President shall hold office for one (1) year.
2. The Vice-President of the Board shall perform the duties of the President in the absence of the President and shall perform other functions as designated by the Board.
- a. In the absence of the President, the Vice-President shall perform the duties and have the obligations of the President.
 - b. The Vice-President shall hold office for one (1) year.
3. The Clerk of the Board shall preside in the absence of the President and Vice-President, sign papers, and perform other functions as designated.
- a. The Clerk shall keep the minutes of all meetings and transactions of the Board of Trustees, and shall sign all necessary documents related to the functions of the Nye County School District and those required by law under Nevada Revised Statutes.
 - b. The duties of Clerk, with the exception of signatory powers, may be assigned to a competent employee of the Nye County School District.
 - c. The Clerk shall hold office for one (1) year.

Reviewed: May 19, 2004
Adopted: June 28, 1995
Revised: July 16, 2003

NEPN/NSBA Classification: BDB
Legal Reference: NRS 386.310 & 386.320

0550

STANDING BOARD COMMITTEES

No individual member and no group comprised of less than the full membership shall be designated as a permanent committee to perform any of the Board of Trustees' functions except those for which State law requires signatories.

1. Standing Committee:

The Policy Committee shall consist of three members, appointed by the President, to serve two-year terms. The members of the committee shall appoint their own chairman.

The committee shall meet at least three times a year and whenever requested by the Board.

The Policy Committee shall annually review and update the policy manual. All policy items will be reviewed by the committee before being placed on the agenda for approval.

- a. This policy provision shall work in concert and conjunction with the provisions of policy number 114.3.

Reviewed: May 17, 1995

Adopted: June 28, 1995

Revised:

NEPN/NSBA Classification: BDE

Legal Reference: NRS 386.330

0560

COMMITTEES OF THE BOARD

The Board of Trustees shall authorize such special committees as are deemed necessary. A special committee shall report recommendations to the Board for appropriate action. A special committee shall be dissolved when its report is accepted by the Board.

Ad Hoc Board Committees:

At the request of a majority of the members of the Board of Trustees, the President may appoint a temporary committee comprised of less than the full membership for special purposes. These committees shall be discharged on completion of their assignments.

Temporary committees may only serve to investigate or advise on a specific matter. They may not take any official action for the Board of Trustees.

Reviewed: May 17, 1995
Adopted: June 28, 1995
Revised:

NEPN/NSBA Classification: BDF
Legal Reference: NRS 386.330

0570

LEGAL COUNSEL

The Board of Trustees of the Nye County School District may employ private legal counsel when the Board determines such employment is necessary and may pay for such counsel from school district funds.

It shall be the duty of the counsel to render all necessary legal opinions for the Board of Trustees and to represent the Board in specific problems requiring the services of legal counsel, keeping the Board informed and reporting all findings. At least once a year, a status report on all legal issues shall be made to the Board of Trustees.

When required, the Attorney General of the State of Nevada may be asked to render a written opinion to the Board of Trustees on matters relating to the duties of the Board.

There shall be no charge to the Board of Trustees or the Nye County School District for any services rendered by the Office of the Attorney General of the State of Nevada.

Reviewed: May 17, 1995
Adopted: June 28, 1995
Revised:

NEPN/NSBA Classification: BDG
Legal Reference: NRS 386.410, 391.100

DUTIES OF THE AUDITOR

At least once a year, an independent audit shall be made of the total financial structure of the Nye County School District. The Board of Trustees may choose any certified or registered accountant or a partnership registered under the provisions of NRS Chapter 628 to conduct the audit. The expense of the audit shall be a charge against school district funds.

The duties of the independent auditor shall be as follows:

1. To examine the balance sheet of the school district as of the close of its fiscal year and the related statements of transactions in the various funds for the fiscal year then ended.
2. To conduct such examination in accordance with generally accepted auditing standards and to include such tests of the accounting records and such other auditing procedures as are necessary in the circumstances.
3. To render an opinion on the financial statements prepared at the close of the fiscal year.
4. To make such recommendations to the Board concerning its accounting records, procedures, and related activities as may appear necessary or desirable.
5. To perform such other related services as may be requested by the Board.

Reviewed: May 17, 1995

Adopted: June 28, 1995

Revised:

NEPN/NSBA Classification: BDH

Legal Reference: NRS 354.624 & 387.330

0590

STUDENT ADVISORS TO THE BOARD OF TRUSTEES

The Board of Trustees believes that perspectives from students provide significant value during the decision-making process and hereby establishes the Student Advisor position.

During the spring of each year, the student council at each high school shall nominate one (1) member, a junior, to serve as Student Advisor to the Board of Trustees the following school year. The students chosen during their junior year will serve during their senior year. A high school principal, an elementary school principal and a representative from the Board of Trustees will conduct interviews of the nominees. The interview panel will select two (2) students from each geographical area to serve one semester each as Student Advisors to the Board of Trustees. The committee will present names of the students to the Superintendent for transmittal to the Board of Trustees.

Student Advisors shall, during their term of office, attend the public portion of meetings and serve in a non-voting capacity. The Board encourages them to participate in discussions of matters before the Board.

The Student Advisors must maintain the same qualifications established by the Board of Trustees for students to participate in extra-curricular activities.

The Superintendent shall establish an administrative regulation to implement this action.

Reviewed: April 21, 2004

Adopted: June 2, 2004

Revised:

NEPN/NSBA Classification:

Legal Reference:

0600**MEETINGS**

Meetings are conducted by the President or in his/her absence by the Vice President. If both the President and Vice President are absent, the Clerk shall conduct the meeting. When all officers are absent, but a quorum of the other four (4) members is present, the members present shall choose one of their group to conduct the meeting.

Reviewed: May 17, 1995

Adopted: June 28, 1995

Revised:

NEPN/NSBA Classification: BE

Legal Reference:

0610**REGULAR MEETINGS**

1. The Nye County School Board of Trustees intends to adhere to all regulations of the Nevada Open Meeting Law.
2. The Board of Trustees shall hold a regular meeting at least 12 times a year, at such time and place as the board shall determine. The President of the Board may designate another time or place to commence the meeting, and it shall be properly publicized according to law and regulation.
3. The meetings will promptly start at the time designated by the President of the Board.
4. A majority of the members of the Board of Trustees shall constitute a quorum for the transaction of business; and no action of the Board of Trustees shall be valid unless such action shall receive the approval of a majority of all the members of the Board of Trustees.

Reviewed: May 17, 1995

Adopted: June 28, 1995

Revised: June 30, 1998

NEPN/NSBA Classification: BEA

Legal Reference: NRS 386.330

SPECIAL MEETINGS

1. Special meetings of the Board of Trustees shall be held at the call of the President whenever there is sufficient business to come before the Board or upon the written request of three members of the Board.
2. The Clerk of the Board of Trustees shall give written notice of each special meeting to each member of the Board of Trustees by personal delivery of the notice of the special meeting to each Trustee at least one (1) day before the meeting, or by mailing the notice to each Trustee's residence of record, by deposit in the United States mails, postage prepaid, at least four (4) days before the meeting. The notice shall specify the time, place, and purpose of the meeting.
3. As mail service varies throughout the County, the board secretary shall attempt to telephone, email or otherwise contact trustees to notify them of an impending meeting.

Reviewed: May 17, 1995
Adopted: June 28, 1995
Revised: February 26, 2003

NEPN/NSBA Classification: BEB
Legal Reference: NRS 386.330, 241.010 et seq.

0630

PUBLIC MEETINGS OF THE BOARD

All meetings of the Board are open to the public except that the Board may exercise its right to close meetings to the public at those times when appropriate pursuant to the provisions of the Nevada Open Meeting Law and NRS 288.220.

Reviewed: May 17, 1995
Adopted: June 28, 1995
Revised:

NEPN/NSBA Classification: BEC
Legal Reference: NRS 288.220

0642

BOARD OF TRUSTEES MEETING AGENDA

The agenda of the Board of Trustees shall be prepared by the Superintendent and Board President in consultation with Board members, staff members, and other groups or individuals directly concerned. The proposed agenda will be posted in compliance with NRS 241.020.

Reviewed: May 19, 2004

Adopted: June 28, 1995

Revised:

NEPN/NSBA Classification: BEDB

Legal Reference: NRS 241.020

0644

PROCEDURE

Rules of Order:

The rules of parliamentary procedure comprised in Robert's Rules of Order, Newly Revised shall govern the Board in its deliberations. Rules may be amended at any meeting by majority vote. The order of business may be suspended at any meeting by a majority vote of those present.

Order of Business:

- Call to Order, Flag Ceremony, and Roll Call
- Consent Agenda
- Adoption of Agenda
- Reports:
 - Superintendent's Report
 - Administrators' Reports
 - Board of Trustees' Reports
 - Board Committee Reports
- Administrative Action
- Informational:
 - Public Input
- Old Business
- New Business
- Personnel Action
- Executive Session
- Closing

Reviewed: May 17, 1995
Adopted: June 28, 1995
Revised:

NEPN/NSBA Classification: BEDD
Legal Reference: NRS 386.330

0648

VOTING

Board members in attendance must vote on all issues. Voting shall be by "yes," "no," or "abstain."

Reviewed: May 17, 1995

Adopted: June 28, 1995

Revised:

NEPN/NSBA Classification: BEDF

Legal Reference:

MINUTES OF PROCEEDINGS

1. Written minutes of the meeting will include:
 - a. The date, time and place of the meeting;
 - b. The members of the Board of Trustees who were present or absent;
 - c. The substance of all matters proposed, discussed or decided;
 - d. A record of each trustee's vote on any matter decided;
 - e. The substance of any remarks made by any member of the general public who addresses the trustees if he/she requests that the minutes reflect the remarks;
 - f. A copy of prepared written remarks if a member of the general public requests that they be included; and
 - g. Information any trustee requests to be included or reflected in the minutes.
2. The Board of Trustees shall approve the minutes of meetings within thirty working days after adjournment of the meeting. The Clerk shall sign the approved minutes.
3. The public has the legal right to inspect minutes or audio tape recordings of meetings within thirty working days after adjournment of the meeting.
4. Minutes have permanent value. The school district shall bind the approved minutes and keep them in the Office of the Superintendent for five years. After five years, the school district may transfer minutes for archival preservation per the applicable statutes.
5. The school district must retain audio tapes of meetings for at least one year after adjournment of the meeting at which they were recorded.
6. Minutes of closed meetings become public records when the Board of Trustees determines that the matters discussed no longer require confidentiality and the person whose character, conduct, competence or health was discussed has consented to their disclosure.
7. Any person whose character, conduct, competence or health was discussed in a closed session has the right to request and receive a copy of the minutes whether or not they become public and a right to inspect the audio tape of the meeting.
8. The school district will make the records of any closed session available to the Attorney General upon request.

Reviewed: May 17, 1995
Adopted: June 28, 1995
Revised: June 2, 2004

NEPN/NSBA Classification: BEDG
Legal Reference: NRS 239.080 through 239.125 & 241.035

PARTICIPATION

1. It is the policy of the Board that members of the public shall have the right, and shall be encouraged, to be heard at Board meetings. Any member of the public not wishing to speak for themselves may be represented by legal counsel or a duly authorized agent.
2. Items for the agenda must be received in written form in the Superintendent's Office by noon five working days prior to the regular Board meeting.

An agenda shall consist of:

- a. A clear and complete statement of the topics scheduled to be considered during the meeting.
- b. A list and description of the items to be voted on during the meeting which must be clearly denoted as items on which action will be taken.
- c. On agenda items, a reasonable time will be allotted to each individual wishing to speak to the Board.
- d. At the conclusion of the items on the agenda, any individual or group may request from the President of the Board the right to be heard on any subject within the jurisdiction of the Board. Unless it is an agenda item, no decision in regard to the matter can be made.
- e. The Board reserves the right to waive or alter this procedure by a majority vote of the Board members, if circumstances warrant, and if in compliance with NRS Chapter 241.
- f. All initial complaints and criticism directed to school board members regarding personnel should be directed to the immediate supervisor of the person about whom the complaint is registered.

Reviewed: May 17, 1995
Adopted: June 28, 1995
Revised:

NEPN/NSBA Classification: BEDH
Legal Reference: NRS 241.030, 241.437, 288.220

0653 RECORDS AVAILABLE

All records of the Board of Trustees shall be available to citizens for inspection during normal business hours for the period the record is retained by the District.

Reviewed: May 17, 1995

Adopted: June 28, 1995

Revised:

NEPN/NSBA Classification: BEDK

Legal Reference: NRS 241.035

METHODS OF OPERATION

Adoption of Policies:

1. The Board of Trustees shall be the policy forming body of the Nye County School District. The Board will provide policies, which will guide the action of those to whom it delegates authority. These shall be recorded in writing.
2. In formulating policies, the Board shall adopt general principles, which provide authorization for the Superintendent and professional staff to take action. Application of such policies to individual problems and jobs is an administrative detail to be performed.
3. The Superintendent shall, in cooperation with the staff, recommend policies for adoption and recommend revision of existing policies. Policies may be proposed by any member of the Board, by lay groups or organizations, or by any citizen of the District.
4. First reading of policies, which are to be adopted, revised or rescinded, must be presented in writing to the Board of Trustees at a regular meeting. Final action cannot be taken until the second reading on such adoption, revision or rescission until the second regular meeting or a special meeting of the Board of Trustees.
5. Effective date of policy changes must be specified by the Board of Trustees with notation to be made in the policy manual.
6. It shall be the duty of the Board to reappraise its policies periodically in view of the needs of the community and schools.
7. Policy Manuals will be made available to schools and will be updated as necessary.

Reviewed: May 17, 1995

Adopted: June 28, 1995

Revised:

NEPN/NSBA Classification: BGB

Legal Reference:

0730

AMENDMENT OF POLICIES

Policies may be amended or deleted by a majority vote of all the members of the Board. Specific proposals for amendment to or deletion of policies shall be submitted in writing to all members of the Board prior to a regularly scheduled Board meeting. Action on the proposed amendment or deletion may be taken at any subsequent official Board meeting.

Reviewed: May 17, 1995

Adopted: June 28, 1995

Revised:

NEPN/NSBA Classification: BGC

Legal Reference:

0740

ADOPTION OF ADMINISTRATIVE REGULATIONS

The Board of Trustees delegates to the Superintendent the function of formulating administrative regulations designed to interpret and carry out the policies of the Board. These regulations will specify required actions and details necessary for the operation of the schools and must be consistent with the policies adopted by the Board.

Administrative Regulations shall be made available to the Board of Trustees and to the public for review and comment.

Reviewed: May 17, 1995

Adopted: June 28, 1995

Revised:

NEPN/NSBA Classification: BGD

Legal Reference:

0760

SUSPENSION OF POLICIES AND BYLAWS

Policies:

The policies of the Board shall be subject to suspension only upon a majority vote of the members of the Board when the proposed suspension has been presented in writing at the previous meeting. Emergency policies may be adopted by the Board upon its own finding that an emergency exists.

Bylaws:

The bylaws of the Board shall be subject to suspension only upon a majority vote of the members of the Board when the proposed suspension has been presented in writing at a previous meeting or upon a unanimous vote of all members of the Board when no such written notice is given.

Reviewed: May 17, 1995
Adopted: June 28, 1995
Revised:

NEPN/NSBA Classification: BGF
Legal Reference:

BOARD COMMUNICATIONS WITH PUBLIC

The Board of Trustees welcomes the input of parents and citizens on ways in which school services to students can be improved. The Board recognizes that parents/guardians have the right and the responsibility to represent their children and that other citizens have an interest in commenting on public education.

The Board welcomes constructive criticism of the NCSD intended to improve the quality of the educational program and related services by encouraging parent/guardian and citizen participation while protecting the rights of NCSD employees.

In order to avoid potentially litigious situations, Board members, District employees and concerned citizens should exercise discretion in discussing matters that may prove to be potentially libelous or slanderous in nature.

Individual Board members do not have the authority to resolve complaints. If approached directly with a complaint, however, Board members should listen to the complaint and show their concern by referring the complainant to the Superintendent or appropriate designee so that the problem may receive proper consideration.

Anonymous Communications

It is the policy of the Nye County Board of Trustees that anonymous communications not related to child abuse will be ignored and destroyed. Anonymous communications will not be processed in accordance with the Public Complaint Policy (1400).

Reviewed: May 20, 1998

Adopted: June 10, 1998

Revised:

NEPN/NSBA Classification: BHD

Legal Reference:

BOARD MEMBER SERVICES

0910 BOARD ORIENTATION

A structured orientation program will be provided to familiarize new Board members with Nevada School Law and the Nye County School District rules, facilities, curriculum, boardsmanship, and other pertinent subjects. Experienced Board members, appropriate administrators, and others may be utilized as presenters.

The program will be planned and directed by the Board President with the assistance as requested of the Superintendent, or his/her designee, and shall be available to all Board members when offered.

Reviewed: May 19, 2004

Adopted: June 28, 1995

Revised:

NEPN/NSBA Classification: BIA

Legal Reference:

0920

BOARD OF TRUSTEE DEVELOPMENT OPPORTUNITIES

The process of education is constantly changing, brought about by scientific, economic, social and political forces. It is an expectation that as a member of the Nye County Board of Trustees that members apprise themselves of development opportunities such as school board conferences, conventions and workshops so that they may be well informed and possess timely information related to the education of students.

Reviewed: May 17, 1995

Adopted: June 28, 1995

Revised:

NEPN/NSBA Classification: BIB

Legal Reference:

0940**TRAVEL AND BOARD VISITATIONS**

A school board member may be reimbursed for transportation to visit schools in the district, at the current rate.

Subsistence and travel for Trustees shall be in accordance with NRS 386.290 and 387.319.

1. Out-of-state travel and in-state travel for special conferences, meetings, etc., shall be approved at a regular meeting before actual travel is to occur.
2. If a Trustee desires approval of travel expenses after a regular meeting of the school district and before the actual travel, approval by the President and Superintendent is necessary. The travel expense will be presented at the next regular meeting in the same manner as other claims against the school district fund.

Reviewed: May 17, 1995

Adopted: June 28, 1995

Revised:

NEPN/NSBA Classification: BID

Legal Reference: NRS 386.290, 387.319

OPERATION OF MOTOR VEHICLES FOR DISTRICT PURPOSES BY BOARD MEMBERS

The Board of Trustees is authorized the assignment of a district-owned or leased vehicle for use in Nye County School District business when a Trustee's responsibilities so warrant and/or the assignment is economically feasible. Authorization to operate a district-owned or leased vehicle is subject to:

1. Valid State of Nevada driver's license.
2. DMV driving record check. A trustee will not be allowed the use of a district-owned or leased vehicle if he/she has been:
 - a. Cited and convicted for three moving violations within the past two years, or
 - b. Convicted of driving while intoxicated or under the influence of drugs or reckless driving within the previous five years.
3. Drivers and passengers shall wear seat belts at all times when in a district vehicle. The number of passengers will be limited to the number of seat belts in the vehicle.

Authorization to operate a personally-owned vehicle while carrying out the duties and responsibilities as a Board member is subject to:

1. Valid State of Nevada driver's license.
2. Valid insurance coverage with minimum limits of \$100,000/\$300,000 bodily injury and \$25,000 property damage.
3. Drivers and passengers shall wear seat belts at all times when the vehicle is being used for district purposes. The number of passengers will be limited to the number of seat belts in the vehicle.
4. When a Board member drives his/her personally-owned vehicle on properly authorized school business within the scope of his/her assigned duties, his/her personal insurance would be primary coverage in the event of an accident. The district's insurance would provide secondary coverage.
5. Nothing in this policy will preclude a Board member from conducting personal business in a personally-owned vehicle before the business of the Board commences or after it is concluded.

Reviewed: February 23, 1999

Adopted: March 23, 1999

Revised:

NEPN/NSBA Classification: EEBA, EEBB

Legal Reference: NRS Chapter 392

0970

MEMBERSHIP IN COUNTY, STATE AND NATIONAL SCHOOL BOARD ASSOCIATIONS

The Nye County Board of Trustees may:

1. Acquire and maintain membership in county, state and national school board associations and pay dues to such associations; and
2. Pay the travel expenses and per diem allowances of Trustees at the same rate authorized by law for state officers when the Trustees attend county, state or national school board association meetings.

Reviewed: May 17, 1995

Adopted: June 28, 1995

Revised:

NEPN/NSBA Classification: BK

Legal Reference: NRS 386.345

0971

LEGISLATIVE REPRESENTATIVE

A member of the Board shall serve as legislative representative of the Nevada Association of School Boards (NASB). The legislative representative may attend legislative sessions and subcommittee meetings, conveying local views and concerns, and participating in the formulation of legislative proposals. The legislative representative shall monitor proposed school legislation and inform the Board of the issues. The legislative representative shall represent the consensus of the Nye County School District on legislation being formulated by NASB.

Reviewed: May 17, 1995
Adopted: June 28, 1995
Revised:

NEPN/NSBA Classification: BKA
Legal Reference:

RECRUITMENT OF SUPERINTENDENT

In order to provide the most capable leadership available for this school district, the Board of Trustees may engage in a search for applicants for the position of Superintendent of Schools. The services of consultants may be engaged to assist in screening applicants to be interviewed by the Board. In addition, residents of the community are requested to notify potential applicants of this position vacancy.

Employees of the district may apply directly to the Board and may be granted an interview, providing they meet the qualifications established by the Board.

When the Board begins the search for a new Superintendent, it will first construct a list of qualifications and review and prioritize the functions and responsibilities it wishes the Superintendent to discharge.

Applicants who can best fulfill the role will be sought both from within the school system and from without.

Screening Committee

The Board may appoint a screening committee of its members or proceed as a committee of the whole with recruitment, screening of applicants, and the recommendation of a small number of candidates for final selection. It may on occasion appoint an adviser or consultant to assist the committee. The screening committee:

- Will receive all applications and seek supplemental information on candidates as needed,
- Will check references of promising candidates. Additionally, if a candidate is being seriously considered, the committee will confer with the candidate's present employer (school board chair if the candidate is a Superintendent; Superintendent if the candidate is a Principal or other administrator),
- Will interview the most promising candidates,
- May visit the home communities of the most promising candidates, and
- May consider the names and qualifications of three to six of the most promising candidates.

Reviewed: December 14, 1995

Adopted: January 31, 1996

Revised:

NEPN/NSBA Classification: CBB

Legal Reference: