Clarksville Charter School

Special Board Meeting

Date and Time

Tuesday October 12, 2021 at 6:30 PM PDT

Location

https://sequoiagrove-org.zoom.us/j/4075258260

The mission of Clarksville Charter School is to develop the individual gifts of students in El Dorado County and adjacent counties to become critical thinkers, responsible citizens and innovative leaders prepared for academic and real-life achievement in the 21st Century. The mission will be accomplished through quality, personalized, standards-based education which could include online coursework, offline textbook work, project-based learning, and unique hands-on and experiential learning experiences facilitated in partnership with students, parents, staff, and community.

Agenda

		Purpose	Presenter	Time
I.	**Opening Items**			**6:30 PM**
A.	Record Attendance		Emily Allen	1 m
B.	Call the Meeting to Order		Emily Allen	1 m
C.	Approval of the Agenda	Vote	Emily Allen	1 m
D.	Public Comments		Emily Allen	2 m

		Purpose	Presenter	Time
II.	**Operations**			**6:35 PM**
A.	COVID-19 Testing Policy	Vote	Jenell Sherman	5 m
B.	COVID-19 Schoolwide Health and Safety Policy	Vote	Jenell Sherman	5 m
C.	Uniform Complaint Policy and Procedures	Vote	Jenell Sherman	5 m
III.	**Governance**			**6:50 PM**
A.	Resolution Regarding AB361	Vote	Jenell Sherman	10 m
IV.	**Closing Items**			**7:00 PM**
A.	Board of Director's Comments & Requests	Discuss		2 m
B.	Announcement of Next Regular Scheduled Board Meeting The Next Regular Scheduled Board Meeting is October 20, 2021 at 6:30 PM.	Vote	Emily Allen	1 m
C.	Adjourn Meeting	Vote	Emily Allen	1 m

Public Comment Rules: Members of the public may address the Board on agenda or non-agenda items through the teleconference platform, Zoom. Zoom does not require the members of the public to have an account or login. Please either utilize the chat option to communicate to the administrative team of your desire to address the Board or simply communicate orally your desire to address the Board when the Board asks for public comments. Speakers may be called in the order requests are received. Comments are limited to 2 minutes each, with no more than 15 minutes per single topic. If a member of the public utilizes a translator to address the Board, those individuals are allotted 4 minutes each. If the Board utilizes simultaneous translation equipment in a manner that allows the Board to hear the translated public testimony simultaneously, those individuals are allotted 2 minutes each. By law, the Board is allowed to take action only on items on the agenda. The Board may, at its discretion, refer a matter to school staff or calendar the issue for future discussion.

Note: The Governing Board encourages those with disabilities to participate fully in the public meeting process. If you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in the public meeting, please contact the Governing Board Office at (530) 927-5137 at least 48 hours before the scheduled board meeting so every reasonable effort can be made to accommodate you. (Government Code § 54954.2; Americans with Disabilities Act of 1990, § 202 (42 U.S.C. § 12132)).

Coversheet

COVID-19 Testing Policy

Section: II. Operations
Item: A. COVID-19 Testing Policy
Purpose: Vote
Submitted by:
Related Material: CV_COVID-19 Testing Policy.docx (1).pdf

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COVID-19 Testing Policy
Prioritizing Safety of Staff & Students

The Clarksville Charter School ("Charter School") adopts this COVID-19 Testing Policy ("Policy") in accordance with the California Department of Public Health Order "Vaccine Verification for Workers in Schools" issued on August 11, 2021 ("Order"). The Order **requires** all schools to:

- Verify vaccine status of all workers; and
- Conduct diagnostic screening testing for workers who are not fully vaccinated starting October 15, 2021.

Consistent with the Order, and for purposes of this Policy, "workers" are paid or unpaid adults who physically interact with Charter School students or staff in furtherance of Charter School functions (e.g., teachers who meet with students, staff interacting in administrative offices, etc.). Fully vaccinated workers do not have to undergo COVID-19 diagnostic screening testing.

Vaccination Status Survey:

- Charter School will survey all workers asking if they are fully vaccinated.
- An individual is considered "fully vaccinated" two weeks or more after they have received the second dose in a 2-dose series (Pfizer-BioNTech or Moderna or vaccine authorized by the World Health Organization), or two weeks or more after they have received a single-dose vaccine (Johnson and Johnson [J&J]/Janssen).

Access to COVID-19 Vaccine:

- Charter School is not requiring workers to become vaccinated. If you are interested in more information about the COVID-19 vaccine, locations of walk-in clinics, and opportunities to book an appointment for the COVID-19 vaccine, please visit https://myturn.ca.gov/ website.

Acceptable Evidence of Full Vaccination:

- A worker must provide acceptable evidence of vaccination to Charter School in order to be considered fully vaccinated. Per the Order, Charter School can accept one of the following as acceptable evidence of full vaccination:
    - COVID-19 Vaccination Record Card (issued by the Department of Health and Human Services Centers for Disease Control & Prevention or WHO Yellow Card)

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- which includes name of person vaccinated, type of vaccine provided and date last dose administered; OR
- a photo of a Vaccination Record Card as a separate document; OR
- a photo of the individual's Vaccination Record Card stored on a phone or electronic device; OR
- documentation of COVID-19 vaccination from a health care provider; OR
- digital record that includes a QR code that when scanned by a SMART Health Card reader displays to the reader client name, date of birth, vaccine dates and vaccine type; OR
- documentation of vaccination from other contracted employers who follow CDPH vaccination records guidelines and standards.

- Workers can submit evidence of full vaccination through the secure jot form survey.
- When providing proof of vaccination, workers must not provide any other medical or genetic information to Charter School, including but not limited to underlying conditions or a diagnosis of a medical condition.

COVID-19 Diagnostic Screening Testing for Workers Who Are Not Fully Vaccinated:

- Consistent with the Order, and for purposes of this Policy, workers who are not fully vaccinated must undergo diagnostic screening testing for the weeks they physically interact with Charter School students or staff. For workers who physically interact with Charter School students or staff less frequently than once per week, they must undergo diagnostic screening testing no greater than one week in advance to obtain a test result before the interaction (preferably within 72 hours) or during the week of the interaction.
- This testing will be provided at no cost using a PCR or antigen test that has Emergency Use Authorization by the U.S. Food and Drug Administration or is operating per the Laboratory Developed Test requirements by the U.S. Centers for Medicare and Medicaid Services. Charter School will share information with workers regarding the specifics of testing administration.
- Fully remote employees or volunteers are not required to undergo diagnostic screening testing.
- Unvaccinated employees are not exempted from the testing requirement even if they have a medical contraindication to vaccination.

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- Previous history of COVID-19 from which the individual recovered more than 90 days earlier, or a previous positive antibody test for COVID-19, does not waive this requirement.
- Consistent with the Order, if you have a confirmed diagnosis of COVID-19 within the last 90 days and recovered, Charter School may not require you to conduct diagnostic screening testing for the 90-day period after the diagnosis. Please contact the Human Resources Department if you are interested in seeking this limited exemption.
- Charter School will not discriminate, harass, or retaliate against any employee for receiving the COVID- 19 vaccine or for electing not to receive the COVID-19 vaccine.
- Charter School will establish a method for tracking weekly diagnostic testing results and will report any positive results to local public health departments.
- Employees with any questions regarding the Charter School's Testing Policy may contact the Human Resources Department.

Enforcement:

- Workers who do not comply with this Policy or who are not otherwise eligible for a reasonable accommodation to the testing requirement consistent with applicable law and this Policy may, depending on their position, be placed on unpaid/inactive status until compliance.
- If a worker believes they may be entitled to an accommodation consistent with applicable law and this Policy, they can contact the HR department (shelli.ninke@sequoiagrove.org). If requested, Charter School will engage in an interactive process with that individual, and work to identify any possible accommodations as appropriate (e.g., unpaid leave of absence). Charter School may not provide an accommodation should it result in a direct threat to health and safety of others or to the individual, and/or if the accommodation will cause an undue hardship for Charter School.
- Charter School may modify enforcement options based on the specific circumstances.

Future Revisions:

- The Charter School drafted this policy in compliance with all applicable federal and state laws, including guidance from the Equal Employment Opportunity Commission ("EEOC"), Centers for Disease Control and Prevention ("CDC"), the California Department of Public Health ("CDPH"), and local health authorities.

- As public health and legal guidance regarding COVID-19 testing at schools evolves, Charter School administrative staff may revise this Policy accordingly. Upon any revision to this Policy, Charter School will provide notice in writing to workers. This Policy shall be implemented in a manner that is consistent with current federal, state, and local law.

Coversheet

COVID-19 Schoolwide Health and Safety Policy

Section: II. Operations
Item: B. COVID-19 Schoolwide Health and Safety Policy
Purpose: Vote
Submitted by:
Related Material:
Clarksville_COVID-19 Schoolwide Health & Safety Policy 21-22(5466605.3) (1).docx.pdf

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COVID-19 Schoolwide Health & Safety Policy
2021-2022

Introduction

It is the policy of Clarksville Charter School ("Charter School") to take all reasonable measures necessary to prevent the spread of the novel coronavirus disease ("COVID-19") among students and staff. In accordance with this COVID-19 Schoolwide Health & Safety Policy ("Policy"), the Charter School is implementing health and safety measures to mitigate the spread of COVID-19 at school-sponsored and staffed in-person activities consistent with federal, state, and local guidance.

Although Charter School is a nonclassroom-based program, the school recognizes that there are circumstances when staff, students, and parents/guardians may interact in-person as part of the educational program. This can include in-person instruction between staff and students, parent-teacher meetings, field trips, park days, and individualized services ("in-person activities").

This Policy recognizes that these safety measures are each designed to provide some protection against COVID-19. While there may be times when one measure may not be feasible, implementing alternative measures can provide backup layers of safety. This Policy includes both mandatory measures (using terms "shall" or "will") as well as recommended measures intended to guide decisions in light of practical limitations.

This Policy is based on guidance provided by the U.S. Centers for Disease Control and Prevention ("CDC"), the California Division of Occupational Safety and Health Administration ("Cal/OSHA"), the California Department of Education ("CDE"), and the California Department of Public Health ("CDPH"). Charter School will, as necessary, consult with the respective county health officer, or designated staff, to monitor and provide advice on local conditions to individually determine whether more or less stringent measures are necessary to align with the applicable public health guidelines.

Charter School will fully cooperate with county public health officials regarding the screening, monitoring, and documentation that will be required to permit careful scrutiny of health outcomes associated with conducting in-person activities. To the extent any mandatory public health guidance is revised to materially conflict with this Policy, Charter School will follow such guidance and not this Policy.

COVID-19 Compliance Officer

State and local public health orders require that schools designate a liaison to be responsible for receiving and sharing information on COVID-19 policies, positive cases, and exposures.

The following individual is designated as the Charter School's COVID-19 Compliance Officer:

Name: Darcy Belleza Email: darcy.belleza@sequoiagrove.org

The COVID-19 Compliance Officer acts as a liaison between the local county public health department and the Charter School. The COVID-19 Compliance Officer shall be the point of contact responsible for sharing information on positive cases and exposures to relevant state and local health departments. If you have any questions about this Policy, please use the contact information above.

COVID-19 Testing

Pursuant to the CDPH Order mandating that all public and private schools serving students in transitional kindergarten through grade 12 verify the vaccination status of school workers and establish diagnostic screening testing of unvaccinated workers to minimize the risk that they will transmit COVID-19 while on school facilities ("CDPH Order"), Charter School has adopted the COVID-19 employee testing policy ("Testing Policy") which is included as **Appendix A**. Per the Charter School's COVID-19 Testing policy, Charter School will provide diagnostic screening testing to workers who are not fully vaccinated.

Per Cal/OSHA Emergency Temporary Standards, the Charter School will also provide testing at no cost to employees during paid time for:

- Symptomatic unvaccinated employees, regardless of whether there is a known exposure
- Unvaccinated employees after an exposure
- Vaccinated employees after an exposure if they develop symptoms
- Unvaccinated employees in an outbreak (three or more employee cases)
- All employees in a major outbreak (20 or more employee cases)

Requests for Accommodations

Employees who are unable to comply with the testing requirement under the Testing Policy due to a qualifying disability or sincerely held religious belief must contact HR Department (shelli.ninke@sequoiagrove.org) to request a reasonable accommodation in writing. If requested, Charter School will engage in an interactive process with that individual, and work to identify any possible accommodations as appropriate (e.g., unpaid leave of absence). Charter School cannot guarantee the availability of either remote work as an accommodation and will process all requests for accommodation consistent with its policies and applicable law. Charter School may not provide an accommodation should it result in a direct threat to health and safety of others or to the individual, and/or if the accommodation will cause an undue hardship for the Charter School.

General Rules of Attendance for In-Person Activities

Charter School recognizes that participation in in-person activities provides various benefits, including engagement in the educational program.

When engaging in in-person activities, the Charter School wants to promote the health and safety of its students, staff, and accompanying family members. As such, any staff member, student, or accompanying family member **must not** participate in an in-person activity or **must leave** an in-person activity if any of the following occur:

1. The individual exhibits COVID-19 symptoms within 10 days of in-person activity or at an in-person activity;

2. The individual was in "close contact" with an individual who tested positive for COVID-19 and has not completed the required quarantine/isolation requirements; OR

3. The individual has tested positive for COVID-19 and has not completed the required isolation requirements.

Reporting symptoms, close contact status, COVID-19 positive tests, and similar information is critical to promote health and safety and reduce risk of COVID-19 transmission. Guidance about family and staff reporting is provided below.

Charter School encourages families and staff to contact their healthcare provider if they have health care questions regarding COVID-19 or otherwise.

COVID-19 Symptom Screening

All staff, students, and/or accompanying family members who will be participating in in-person activities must conduct a symptom screening for COVID-19 before participating in any in-person activity (e.g., conduct temperature check). An individual must not attend any in-person activity if they are experiencing any of the following symptoms within 10 days of the in-person activity:

- Fever over 100 degrees
- Chills
- Persistent cough
- Shortness of breath or difficulty breathing
- Fatigue
- Muscle or body aches
- Headache
- New loss of taste or smell
- Sore throat
- Congestion or runny nose
- Nausea or vomiting
- Diarrhea

This list does not include all possible symptoms. CDC regularly updates this list, so please visit the following website to confirm whether your symptoms may be symptoms of COVID-19:

https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html.

Staff, students, or accompanying family members who exhibit COVID-19 symptoms must not attend an in-person activity unless all of the following criteria are met:

1. At least 24 hours have passed since resolution of fever without the use of fever-reducing medications;

2. Other symptoms have improved; AND

3. One of the following is true:

    a. The individual has a negative test for COVID-19;
    b. At least 10 days have passed since symptom onset;
    c. A healthcare provider has provided documentation that the symptoms are typical of their underlying chronic condition (e.g., allergies or asthma); OR
    d. A healthcare provider has confirmed an alternative named diagnosis (e.g., Streptococcal pharyngitis, Coxsackie virus).

Charter School encourages individuals to get tested for COVID-19 when they exhibit symptoms consistent with COVID-19. COVID-19 testing is available for free at multiple locations throughout California. Please contact your healthcare provider, local county public health department, or the Charter School for more information.

Reporting COVID-19 Symptoms

- If a student or accompanying family member cannot attend an in-person activity due to experiencing the symptoms described above within 10 days of the in-person activity, please contact your Homeschool Teacher. Charter School may be able to help determine if the individual can attend the in-person activity (e.g., student provides proof of negative test as described above).

- Staff members who are scheduled to participate in an in-person activity, but have symptoms on the day of the activity or within 10 days of the activity must contact their direct supervisor, complete the Covid Exposure Report, and then await further instruction.

Exposure to COVID-19 (Close Contacts)

An individual who is a “close contact” of an individual who tested positive for COVID-19, regardless of whether the individual has COVID-19 symptoms or not, generally must not attend any in-person activity until at least 14 days have passed since the last contact with the positive COVID-19 case and the individual is fever-free and symptom free. There are some exemptions to this rule, described below.

A person is considered a “close contact” if he/she was within 6 feet of someone who has COVID-19 for a total of 15 minutes or more over a 24-hour period.

Quarantine Requirements for Close Contacts: Quarantine requirements for close contacts will depend on whether the individual is fully vaccinated. An individual may participate in an in-person activity if the requirements below are met:

1. Vaccinated Individuals: If the individual who is a close contact is fully vaccinated OR has recovered from COVID-19 within the last 90 days with evidence of lab-confirmed diagnosis, the individual may participate in in-person activities and does not need to quarantine. These individuals are recommended to get a COVID-19 test on Day 3, 4, OR 5 following the last contact with the COVID-19 positive case.

2. Unvaccinated Individuals (Individual and Close Contact Were Not Both Wearing Masks): Individuals who are unvaccinated and asymptomatic may return to in-person activities only if ALL of the following criteria are met:

    i. The individual is asymptomatic (i.e., is fever-free and does not exhibit any COVID-19 symptoms);

    ii. The individual completes:
        - 10 days of quarantine from the date of last exposure; OR
        - 7 days of quarantine if the individual receives a negative COVID-19 test collected after Day 5 from the date of last exposure. Charter School would need to see this negative test to allow an individual to join in-person activities.

    iii. The individual:

        - Continues daily self-monitoring for symptoms through Day 14 from last known exposure; AND
        - Follows all recommended non-pharmaceutical interventions (e.g., wearing a mask when around others, hand washing, avoiding crowds) through Day 14 from last known exposure.

    If, at any time during the 14-day period, the individual exhibits COVID-19 symptoms, the individual must not attend in-person activities and should consider contacting their healthcare provider.

3. Unvaccinated Individuals (Individual and Close Contact Both Wore Masks): If the close contact individual is unvaccinated, but both the close contact and the COVID-19 positive individual were both wearing a mask during last contact, the individual may attend in-person activities and does not need to quarantine if the individual:

    i. Is asymptomatic
    ii. Continues to appropriately wear a mask, as required;
    iii. Undergoes at least twice weekly testing during the 10-day quarantine; and
    iv. Continues to quarantine for all other extracurricular school activities.

Reporting Close Contacts

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- If an asymptomatic student or accompanying family member was a close contact within 14 days of a scheduled in-person activity and they wish to attend the in-person activity, please contact the Home School Teacher. Charter School will help determine if the individual can attend the in-person activity.

- If a staff member was a close contact within 14 days of a scheduled in-person activity, they must contact their direct supervisor, complete the Covid Exposure Report, and then await further instruction.

Exposure Management for Positive COVID-19 Cases

If individuals test positive for COVID-19:

- Symptomatic: Individuals who test positive for COVID-19 and exhibit COVID-19 symptoms must self-isolate in their homes and not attend in-person activities until ALL of the following criteria are met:

    1. At least 10 days have passed since the symptom onset;

    2. At least 24 hours have passed since resolution of fever without the use of fever-reducing medications; AND

    3. Other symptoms improved.

- Asymptomatic: Individuals who test positive for COVID-19 and do not exhibit COVID-19 symptoms must self-isolate in their homes until the at least 10 days have passed since the date of the first COVID-19 test. If the individual develops symptoms, then the individual must self-isolate as described above for symptomatic individuals.

Reporting COVID-19 Case to Charter School

- Students/family members who received a positive test for COVID-19 and were considered infectious (defined below) when participating in a Charter School activity must contact their Homeschool Teacher so the Charter School can appropriately notify close contacts and local public health departments for support.

    - Definition of Infectious for Asymptomatic Individual: An asymptomatic individual with a positive test is considered infectious from two days before their test was taken until 10 days after their test.

    - Definition of Infectious for Symptomatic Individual: A symptomatic individual with a positive test is infectious from two days before their symptoms first appeared until the time they are longer required to be isolated (i.e., no fever for at least 24 hours, without the use of medicine that reduce fevers AND other symptoms have improved AND at least 10 days have passed since symptoms first appeared).

- Staff who interact with staff and/or students at any point during the school year must

report COVID-19 positive tests to their direct supervisor, complete the Covid Exposure Report, and then await further instruction..

Reporting COVID-19 Cases to Public Health Department

Upon learning that an individual (employee, student, or accompanying family member) has tested positive for COVID-19 and that individual was participating in Charter School-related in-person activities while infectious (see definition above), **the Charter School will notify the local public health department about the positive case no later than 24 hours after learning of the positive case.**

The notification to the local public health department will include (as may be required by local public health department):

1. The full name, address, telephone number, and date of birth of the individual who tested positive;

2. The date the individual tested positive, the location/event/facility at which the individual was present when participating in in-person activity, and the date the individual was last present at any relevant school activity; and

3. The full name, address, and telephone number of the person making the report.

Charter School's COVID-19 Compliance Officer will work with the local public health department to ensure appropriate contact tracing, investigation, and notifications to the community.

To the extent required by local public health guidelines, the Charter School will notify staff and families in the school community of any positive COVID-19 case while maintaining confidentiality as required by state and federal laws.

Charter School will provide information to employees regarding paid and unpaid time off, including sick leave and extended family and medical leave pursuant to federal and state laws to if an employee may need to take time off due to COVID-19 related illness or exposure.

Use of Face Coverings

Individuals can help minimize the exposure and transmission of COVID-19 when cloth face coverings ("face coverings" or "masks") are worn properly (covering both nose and mouth). Charter School will follow CDPH, CDE, and CDC guidance and applicable public health orders regarding the use of face coverings. All staff and family members are encouraged to review the CDPH guidance on face coverings. Face coverings must be used in accordance with CDPH guidance and this Policy unless a person qualifies for an exemption.

Proper use of face coverings will be strictly enforced. Individuals who refuse to wear a proper face covering may be excluded from participating in in-person activities. If public health guidelines change from what is prescribed below, the Charter School will follow the public

health guidelines.

- Indoor settings: All individuals participating in in-person activities must wear a face covering when meeting indoors, regardless of vaccination status.

- Outdoor settings: Individuals are not required to wear a face covering in outdoor settings, but wearing a face covering is recommended, particularly for unvaccinated individuals.

All individuals must comply with the applicable face covering and other health and safety requirements of the venue (e.g., museum, park, etc.). Staff will have extra face coverings if a student or accompanying family member forgets to bring a face covering.

Charter School will evaluate any student or employee's request for accommodation from the Charter School's face covering requirement consistent with applicable law.

Employees requesting an accommodation from the face covering policy/requirement must provide appropriate documentation and contact the HR department (shelli.ninke@sequoiagrove.org).

The following individuals are exempt from wearing a face covering:

- Children under the age of two.

- Persons with a medical condition, mental health condition, or disability that prevents wearing a mask. This includes persons with a medical condition for whom wearing a mask could obstruct breathing or who are unconscious, incapacitated, or otherwise unable to remove a mask without assistance.

- Persons who are hearing impaired, or communicating with a person who is hearing impaired, where the ability to see the mouth is essential for communication.

- Persons for whom wearing a mask would create a risk to the person related to their work, as determined by local, state, or federal regulators or workplace safety guidelines.

Persons exempted from wearing a face covering due to a medical condition, must wear a non-restrictive alternative, such as a face shield with a drape on the bottom edge, as long as their condition permits it.

In limited situations where a face covering cannot be used for pedagogical or developmental reasons (e.g., communicating or assisting young children or those with special needs), a face shield with a drape (per CDPH guidelines) can be used instead of a face covering as long as the wearer maintains physical distance from others. Staff must return to wearing a face covering once the activity has ceased.

Accommodations for Students

If a student cannot wear a mask due to a medical condition, mental health condition, or disability, the student should wear the next most effective alternative that can be tolerated, such

as a transparent face shield with a cloth draping sealing the bottom.

Parents/guardians who believe their child may need an accommodation or is otherwise exempt from the Charter School's face covering policy and requirement should contact their Homeschool Teacher. Upon receipt of appropriate documentation, the Charter School will evaluate requests for accommodation and determine what, if any accommodations the Charter School can provide.

For students with an individualized education program ("IEP") or Section 504 Plans, the Charter School will ensure that determinations are made by an IEP/504 Team as appropriate and as may be necessary or required by law.

Students exempted from wearing a mask or face shield are strongly encouraged to be vaccinated against COVID-19. If a student is exempt from wearing any type of face covering, the Charter School will implement appropriate health and safety mitigation strategies, including appropriate physical distancing, use of personal protective equipment, and other health and safety measures to the greatest degree feasible, to mitigate the risk of exposure to COVID-19.

Physical Distancing

Recent evidence indicates that instruction/in-person interaction can occur safely without six feet of physical distancing when other mitigation strategies (e.g., masking) are implemented. As such, students and staff are not required to maintain physical distancing if interacting individuals are fully vaccinated.

If interacting individuals are not fully vaccinated, then three (3) feet of physical distancing should be maintained at all times to the extent possible and both individuals must wear a mask indoors and are recommended to wear a mask outdoors. If three (3) feet of physical distancing is not possible, individuals should try to keep as far apart as possible and continue to wear masks as discussed above.

Healthy Hygiene and Personal Protective Equipment

To help minimize the transmission of COVID-19, staff, students, and accompanying family members who are participating in in-person activities should implement the following hygiene and cleaning practices:

- Frequently wash hands (at least 20 seconds) throughout the day, especially before and after eating, after using the restroom, after handling garbage, or after removing gloves.
- Avoid contacting with one's eyes, nose, and mouth.
- Cover coughs and sneezes.
- Limit sharing of supplies. Staff and students should have their own supplies to the extent possible.
- Charter School appropriately and routinely disinfects and cleans administrative office(s)

and similar spaces.

- Staff will endeavor to clean surfaces with sanitizing wipes if such surfaces (e.g., tables, chairs, desks, computers) will be used when participating in in-person activities.

The Charter School will evaluate the need for personal protective equipment ("PPE"), including, but not limited to, gloves, eye protection, and respiratory protection as required by Cal/OSHA standards. PPE may be used by a staff member when working with sick children or providing instruction to any students with a face covering exemption.

Resource Center Guidelines

Staff, students, and visitors to a Charter School's Resource Center must comply with all health and safety protocols, including following the Policy's face covering requirements while inside the building. Signage shall be posted at all public entrances to the Resource Center reminding visitors of mask requirements and warning visitors not to enter if they have COVID-19 symptoms.

Reminder: If an individual exhibits COVID-19 symptom within last 10 days, was in "close contact" with an individual who tested positive for COVID-19 and has not completed the required quarantine/isolation requirements, or the individual has tested positive for COVID-19 and has not completed the required isolation requirements – the individual must not enter the Resource Center and participate in Charter School activities. These individuals may continue to participate in in-person activities once they complete the required quarantine/isolation described above.

Sanitizing/hygiene materials and practices

- Charter School will develop plans and routines to ensure that students and staff using the Resource Center will wash or sanitize hands frequently.

- Charter School will make soap, tissues, no-touch trashcans, face coverings, and water and paper towels or dryers for hand washing available.

- Charter School shall make available fragrance-free alcohol-based hand sanitizer at strategic locations throughout the Resource Center.

- Charter School will provide face coverings for students and staff who do not have face coverings.

- Routine cleaning and disinfecting: Charter School will maintain a high level of cleanliness throughout the year at the Resource Center to help reduce the risk of exposure to and spread of COVID-19. In general, cleaning once a day is usually enough to sufficiently remove potential virus that may be on surfaces.

- Charter School will optimize ventilation in indoor spaces, to the extent possible.

Communications to the Charter School Community

Charter School will provide staff and parents/guardians with a copy of this Policy (e.g., distributing by email, posting on website, etc.). In addition, the Charter School will provide training to staff on the Policy to ensure appropriate and consistent implementation. Charter School will frequently communicate with parents/guardians regarding the Charter School's COVID-19 health and safety guidelines and provide supports and resources, as appropriate and necessary.

Amendments to this Policy

The Executive Director or designee is authorized to revise this Policy in order to ensure compliance or consistency with new or revised orders or guidance from local, county, state or federal authorities ("Agencies"), to take any and all actions consistent with orders and guidance from the Agencies that is not specifically addressed by this Policy, and to ensure compliance with the Charter School's charter petition. The Executive Director or designee will provide the Charter School's Governing Board with updates as to actions taken pursuant to this section.

Appendix A

COVID-19 Testing Policy
Prioritizing Safety of Staff & Students

The Clarksville Charter School ("Charter School") adopts this COVID-19 Testing Policy ("Policy") in accordance with the California Department of Public Health Order "Vaccine Verification for Workers in Schools" issued on August 11, 2021 ("Order"). The Order **requires** all schools to:

- Verify vaccine status of all workers; and
- Conduct diagnostic screening testing for workers who are not fully vaccinated starting October 15, 2021.

Consistent with the Order, and for purposes of this Policy, "workers" are paid or unpaid adults who physically interact with Charter School students or staff in furtherance of Charter School functions (e.g., teachers who meet with students, staff interacting in administrative offices, etc.). Fully vaccinated workers do not have to undergo COVID-19 diagnostic screening testing.

Vaccination Status Survey:

- Charter School will survey all workers asking if they are fully vaccinated.
- An individual is considered "fully vaccinated" two weeks or more after they have received the second dose in a 2-dose series (Pfizer-BioNTech or Moderna or vaccine authorized by the World Health Organization), or two weeks or more after they have received a single-dose vaccine (Johnson and Johnson [J&J]/Janssen).

Access to COVID-19 Vaccine:

- Charter School is not requiring workers to become vaccinated. If you are interested in more information about the COVID-19 vaccine, locations of walk-in clinics, and opportunities to book an appointment for the COVID-19 vaccine, please visit https://myturn.ca.gov/ website.

Acceptable Evidence of Full Vaccination:

- A worker must provide acceptable evidence of vaccination to Charter School in order to be considered fully vaccinated. Per the Order, Charter School can accept one of the following as acceptable evidence of full vaccination:
    - COVID-19 Vaccination Record Card (issued by the Department of Health and Human Services Centers for Disease Control & Prevention or WHO Yellow Card)

  - which includes name of person vaccinated, type of vaccine provided and date last dose administered; OR
  - a photo of a Vaccination Record Card as a separate document; OR
  - a photo of the individual's Vaccination Record Card stored on a phone or electronic device; OR
  - documentation of COVID-19 vaccination from a health care provider; OR
  - digital record that includes a QR code that when scanned by a SMART Health Card reader displays to the reader client name, date of birth, vaccine dates and vaccine type; OR
  - documentation of vaccination from other contracted employers who follow CDPH vaccination records guidelines and standards.

- Workers can submit evidence of full vaccination through the secure jot form survey.
- When providing proof of vaccination, workers must not provide any other medical or genetic information to Charter School, including but not limited to underlying conditions or a diagnosis of a medical condition.

COVID-19 Diagnostic Screening Testing for Workers Who Are Not Fully Vaccinated :

- Consistent with the Order, and for purposes of this Policy, workers who are not fully vaccinated must undergo diagnostic screening testing for the weeks they physically interact with Charter School students or staff. For workers who physically interact with Charter School students or staff less frequently than once per week, they must undergo diagnostic screening testing no greater than one week in advance to obtain a test result before the interaction (preferably within 72 hours) or during the week of the interaction.
- This testing will be provided at no cost using a PCR or antigen test that has Emergency Use Authorization by the U.S. Food and Drug Administration or is operating per the Laboratory Developed Test requirements by the U.S. Centers for Medicare and Medicaid Services. Charter School will share information with workers regarding the specifics of testing administration.
- Fully remote employees or volunteers are not required to undergo diagnostic screening testing.
- Unvaccinated employees are not exempted from the testing requirement even if they have a medical contraindication to vaccination.

- Previous history of COVID-19 from which the individual recovered more than 90 days earlier, or a previous positive antibody test for COVID-19, does not waive this requirement.

- Consistent with the Order, if you have a confirmed diagnosis of COVID-19 within the last 90 days and recovered, Charter School may not require you to conduct diagnostic screening testing for the 90-day period after the diagnosis. Please contact the Human Resources Department if you are interested in seeking this limited exemption.

- Charter School will not discriminate, harass, or retaliate against any employee for receiving the COVID- 19 vaccine or for electing not to receive the COVID-19 vaccine.

- Charter School will establish a method for tracking weekly diagnostic testing results and will report any positive results to local public health departments.

- Employees with any questions regarding the Charter School's Testing Policy may contact the Human Resources Department.

Enforcement:

- Workers who do not comply with this Policy or who are not otherwise eligible for a reasonable accommodation to the testing requirement consistent with applicable law and this Policy may, depending on their position, be placed on unpaid/inactive status until compliance.

- If a worker believes they may be entitled to an accommodation consistent with applicable law and this Policy, they can contact the HR department (shelli.ninke@sequoiagrove.org). If requested, Charter School will engage in an interactive process with that individual, and work to identify any possible accommodations as appropriate (e.g., unpaid leave of absence). Charter School may not provide an accommodation should it result in a direct threat to health and safety of others or to the individual, and/or if the accommodation will cause an undue hardship for Charter School.

- Charter School may modify enforcement options based on the specific circumstances.

Future Revisions:

- The Charter School drafted this policy in compliance with all applicable federal and state laws, including guidance from the Equal Employment Opportunity Commission ("EEOC"), Centers for Disease Control and Prevention ("CDC"), the California Department of Public Health ("CDPH"), and local health authorities.

- As public health and legal guidance regarding COVID-19 testing at schools evolves, Charter School administrative staff may revise this Policy accordingly. Upon any

revision to this Policy, Charter School will provide notice in writing to workers. This Policy shall be implemented in a manner that is consistent with current federal, state, and local law.

Coversheet

Uniform Complaint Policy and Procedures

Section: II. Operations
Item: C. Uniform Complaint Policy and Procedures
Purpose: Vote
Submitted by:
Related Material: Uniform_Complaint_Policy_and_Procedures_-_Clarksville_-_V3.docx

BACKGROUND:
Updated to broaden scope of designated individuals to assist with UCP.

RECOMMENDATION:
Recommended for Board approval.

CLARKSVILLE
CHARTER SCHOOL

UNIFORM COMPLAINT POLICY AND PROCEDURES

Clarksville Charter School ("Charter School") complies with applicable federal and state laws and regulations. Charter School is the local agency primarily responsible for compliance with federal and state laws and regulations governing educational programs. Pursuant to this policy, persons responsible for compliance and/or conducting investigations shall be knowledgeable about the laws and programs, which they are assigned to investigate.

Scope

This complaint procedure is adopted to provide a uniform system of complaint processing ("UCP") for the following types of complaints:

1. Complaints alleging unlawful discrimination, harassment, intimidation or bullying against any protected group on the basis of the actual or perceived characteristics of age, ancestry, color, mental disability, physical disability, ethnic group identification, immigration status, citizenship, gender expression, gender identity, gender, genetic information, nationality, national origin, race or ethnicity, religion, medical condition, marital status, sex, or sexual orientation, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any Charter School program or activity.

2. Complaints alleging a violation of state or federal law or regulation governing the following programs:

   - Accommodations for Pregnant, Parenting or Lactating Students;
   - Adult Education;
   - Career Technical and Technical Education;
   - Career Technical and Technical Training;
   - Child Care and Development Programs;
   - Consolidated Categorical Aid;
   - Education of Students in Foster Care, Students who are Homeless, former Juvenile Court Students now enrolled in a public school, Migratory Children and Children of Military Families;
   - Every Student Succeeds Act;
   - Migrant Education Programs;
   - Regional Occupational Centers and Programs; and/or
   - School Safety Plans.

3. Complaints alleging that a student enrolled in a public school was required to pay a pupil fee for participation in an educational activity as those terms are defined below.

a. "Educational activity" means an activity offered by the charter school that constitutes an integral fundamental part of elementary and secondary education, including, but not limited to, curricular and extracurricular activities.

b. "Pupil fee" means a fee, deposit or other charge imposed on students, or a student's parents/guardians, in violation of Education Code section 49011 and Section 5 of Article IX of the California Constitution, which require educational activities to be provided free of charge to all students without regard to their families' ability or willingness to pay fees or request special waivers, as provided for in *Hartzell v. Connell* (1984) 35 Cal.3d 899. A pupil fee includes, but is not limited to, all of the following:

   i. A fee charged to a student as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory or is for credit.

   ii. A security deposit, or other payment, that a student is required to make to obtain a lock, locker, book, class apparatus, musical instrument, uniform or other materials or equipment.

   iii. A purchase that a student is required to make to obtain materials, supplies, equipment or uniforms associated with an educational activity.

c. A pupil fees complaint and complaints regarding local control and accountability plans ("LCAP") only, may be filed anonymously (without an identifying signature), if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with Education Code sections 52060 - 52077, including an allegation of a violation of Education Code sections 47606.5 or 47607.3, as referenced in Education Code section 52075, regarding local control and accountability plans.

d. If Charter School finds merit in a pupil fees complaint, or the California Department of Education ("CDE") finds merit in an appeal, Charter School shall provide a remedy to all affected students, parents/guardians that, where applicable, includes reasonable efforts by Charter School to ensure full reimbursement to all affected students and parents/guardians, subject to procedures established through regulations adopted by the state board.

e. Nothing in this Policy shall be interpreted to prohibit solicitation of voluntary donations of funds or property, voluntary participation in fundraising activities, or Charter School and other entities from providing student prizes or other recognition for voluntarily participating in fundraising activities.

4. Complaints alleging noncompliance with the requirements governing the Local Control Funding Formula ("LCFF") or LCAP under Education Code sections 47606.5 and 47607.3, as applicable. If Charter School adopts a School Plan for Student Achievement in addition to its LCAP, complaints of noncompliance with the requirements of the School Plan for Student Achievement under Education Code sections 64000, 64001, 65000, and 65001 shall also fall under this Policy.

Complaints alleging noncompliance regarding child nutrition programs established pursuant to Education Code sections 49490-49590 are governed by Title 7, Code of Federal Regulations ("C.F.R.") sections 210.19(a)(4), 215.1(a), 220.13(c), 225.11(b), 226.6(n), and 250.15(d) and Title 5, California Code of Regulations ("C.C.R.") sections 15580 - 15584.

Complaints alleging noncompliance regarding special education programs established pursuant to Education Code sections 56000-56865 and 59000-59300 are governed by the procedures set forth in 5 C.C.R. sections 3200-3205 and 34 C.F.R. sections 300.151-300.153.

Charter School acknowledges and respects every individual's rights to privacy. Unlawful discrimination, harassment, intimidation or bullying complaints shall be investigated in a manner that protects (to the greatest extent reasonably possible and as permitted by law) confidentiality of the parties, including but not limited to the identity of the complainant, and maintains the integrity of the process. Charter School cannot guarantee anonymity of the complainant. This includes keeping the identity of the complainant confidential. However, Charter School will attempt to do so as appropriate. Charter School may find it necessary to disclose information regarding the complaint/complainant to the extent required by law or necessary to carry out the investigation or proceedings, as determined by the Executive Director or designee on a case-by-case basis. Charter School shall ensure that complainants are protected from retaliation.

Compliance Officer

The Board of Directors designates the following compliance officer(s) or designee to receive and investigate complaints and to ensure Charter School's compliance with law:

Darcy Belleza-
~~Deputy Director~~
Director of
Governance and
Accountability
P.O. Box 760 Orangevale 95662 ~~916-664-8653~~916-526-3794

The Executive Director or designee shall ensure that the compliance officer(s) or designated individual(s) to investigatecomplaints are knowledgeable about the laws and programs for which they are responsible. The compliance officer may have access to legal counsel as determined by the Executive Director or designee.

Should a complaint be filed against the Director of Governance and Accountability, ~~Deputy Director~~, the compliance officer for that case shall be the Executive Director of the school or designated individual(s) named in the complaint.

Notifications

The Executive Director or designee shall make available copies of this Policy free of charge. The annual notice of this Policy may be made available on Charter School's website.

Charter School shall annually provide written notification of Charter School's UCP to employees, students, parents/guardians, advisory committees, private school officials or representatives, and other interested parties as applicable.

The annual notice shall be in English. When necessary under Education Code section 48985, if fifteen (15) percent or more of the students enrolled in Charter School speak a single primary language other than English, this annual notice will also be provided to the parent/guardian of any such students in their primary language.

The annual notice shall include the following:

1. A list of the types of complaints that fall under the scope of the UCP and the state and federal provisions that govern complaints regarding child nutrition programs and special education programs.

2. A statement clearly identifying any California State preschool programs that Charter School is operating as exempt from licensing pursuant to Health and Safety Code section 1596.792(o) and corresponding Title 5 health and safety regulations, and any California State preschool programs that Charter School is operating pursuant to Title 22 licensing requirements.

3. A statement that Charter School is primarily responsible for compliance with federal and state laws and regulations.

4. A statement that a student enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity.

5. A statement identifying the title of the compliance officer, and the identity(ies) of the person(s) currently occupying that position, if known.

6. A statement that if a UCP complaint is filed directly with the CDE and the CDE determines that it merits direct intervention, the CDE shall complete an investigation and provide a written decision to the complainant within sixty (60) calendar days of receipt of the complaint, unless the parties have agreed to extend the timeline or the CDE documents exceptional circumstances and informs the complainant.

7. A statement that the complainant has a right to appeal Charter School's decision to the CDE by filing a written appeal within thirty (30) calendar days of the date of Charter School's decision, except if Charter School has used its UCP to address a complaint that is not subject to the UCP requirements.

8. A statement that a complainant who appeals Charter School's decision on a UCP complaint to the CDE shall receive a written appeal decision within sixty (60) calendar days of the CDE's receipt of the appeal, unless extended by written agreement with the complainant or the CDE documents exceptional circumstances and informs the complainant.

9. A statement that if Charter School finds merit in a UCP complaint, or the CDE finds merit in an appeal, Charter School shall take corrective actions consistent with the requirements of existing law that will provide a remedy to the affected student and/or parent/guardian as applicable.

10. A statement advising the complainant of any civil law remedies that may be available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable, and of the appeal pursuant to Education Code section 262.3.

11. A statement that copies of Charter School's UCP shall be available free of charge.

Procedures

The following procedures shall be used to address all complaints which allege that Charter School has violated federal or state laws or regulations enumerated in the section "Scope," above. The compliance officer shall maintain a record of each complaint and subsequent related actions for at least three (3) calendar years.

All parties named shall be notified when a complaint is filed, when a complaint meeting or hearing is scheduled, and when a decision or ruling is made.

- **Step 1: Filing of Complaint**

Any individual, including a person's duly authorized representative or an interested third party, public agency, or organization may file a written complaint of alleged noncompliance or unlawful discrimination, harassment, intimidation or bullying pursuant to this Policy.

A complaint of unlawful discrimination, harassment, intimidation or bullying may be filed by an individual who alleges that that individual has personally suffered unlawful discrimination, harassment, intimidation or bullying or by one who believes any specific class of individuals has been subjected to unlawful discrimination, harassment, intimidation or bullying, or by a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying. An investigation of alleged unlawful discrimination, harassment, intimidation or bullying shall be initiated by filing a complaint no later than six (6) months from the date the alleged discrimination, harassment, intimidation or bullying occurred, or the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation or bullying unless the time for filing is extended by the Executive Director or designee, upon written request by the complainant setting forth the reasons for the extension. Such extension by the Executive Director or designee shall be made in writing. The period for filing may be extended by the Executive Director or designee for good cause for a period not to exceed ninety (90) calendar days following the expiration of the six-month time period. The Executive Director shall respond immediately upon a receipt of a request for extension.

All other complaints under this Policy shall be filed not later than one (1) year from the date the alleged violation occurred. For complaints relating to the LCAP, the date of the alleged violation is the date on which the Charter School Board of Directors approved the LCAP or the annual update was adopted by Charter School.

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and date stamp.

Complaints filed pursuant to this Policy must be in writing and signed. A signature may be handwritten, typed (including in an email) or electronically generated. Only complaints regarding pupil fees or LCAP compliance may be filed anonymously as set forth in this Policy. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, Charter School staff shall assist the complainant in the filing of the complaint.

- **Step 2: Mediation**

Within three (3) business days of receiving the complaint, the compliance officer may informally discuss with the complainant the possibility of using mediation. If the complainant agrees to mediation, the compliance officer shall make arrangements for this process.

Before initiating the mediation of an unlawful discrimination, harassment, intimidation or bullying complaint, the compliance officer shall ensure that all parties agree to make the mediator a party to related confidential information.

If the mediation process does not resolve the complaint to the satisfaction of the complainant, the compliance officer shall proceed with the investigation of the complaint.

The use of mediation shall not extend Charter School's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time.

- **Step 3: Investigation of Complaint**

The compliance officer is encouraged to hold an investigative meeting within five (5) business days of receiving the complaint or an unsuccessful attempt to mediate the complaint. This meeting shall provide an opportunity for the complainant and/or the complainant's representative to repeat the complaint orally.

The complainant and/or the complainant's representative shall have an opportunity to present evidence or information leading to evidence to support the allegations in the complaint.

A complainant's refusal to provide the compliance officer with documents or other evidence related to the allegations in the complaint, or a complainant's failure or refusal to cooperate in the investigation or the complainant's engagement in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegation.

Charter School's refusal to provide the compliance officer with access to records and/or other information related to the allegation in the complaint, or its failure or refusal to cooperate in the investigation or its engagement in any other obstruction of the investigation, may result in a finding, based on evidence collected, that a violation has occurred and may result in the imposition of a remedy in favor of the complainant.

- **Step 4: Final Written Decision**

Charter School shall issue an investigation report (the "Decision") based on the evidence. Charter School's Decision shall be in writing and sent to the complainant within sixty (60) calendar days of Charter School's receipt unless the timeframe is extended with the written agreement of the complainant. Charter School's Decision shall be written in English and in the language of the complainant whenever feasible or as required by law.

The Decision shall include:

1. The findings of fact based on evidence gathered.

2. The conclusion providing a clear determination for each allegation as to whether Charter School is in compliance with the relevant law.

3. Corrective actions, if Charter School finds merit in the complaint and any are warranted or required by law.

4. Notice of the complainant's right to appeal Charter School's Decision within thirty (30) calendar days to the CDE, except when Charter School has used its UCP to address complaints that are not subject to the UCP requirements.

5. Procedures to be followed for initiating such an appeal.

If an employee is disciplined as a result of the complaint, the Decision shall simply state that effective action was taken and that the employee was informed of Charter School's expectations. The Decision shall not give any further information as to the nature of the disciplinary action except as required by applicable law.

Appeals to the CDE

If dissatisfied with the Decision, the complainant may appeal in writing to the CDE within thirty (30) calendar days of receiving the Decision. The appeal shall be accompanied by a copy of the complaint filed with Charter School and a copy of the Decision. When appealing to the CDE, the complainant must specify and explain the basis for the appeal, including at least one of the following:

1. Charter School failed to follow its complaint procedures.

2. Relative to the allegations of the complaint, Charter School's Decision lacks material findings of fact necessary to reach a conclusion of law.

3. The material findings of fact in Charter School's Decision are not supported by substantial evidence.

4. The legal conclusion in Charter School's Decision is inconsistent with the law.

5. In a case in which Charter School's Decision found noncompliance, the corrective actions fail to provide a proper remedy.

Upon notification by the CDE that the complainant has appealed the Decision, the Executive Director or designee shall forward the following documents to the CDE within ten (10) calendar days of the date of notification:

1. A copy of the original complaint.

2. A copy of the Decision.

3. A copy of the investigation file, including but not limited to all notes, interviews, and documents submitted by the parties or gathered by the investigator.

4. A report of any action taken to resolve the complaint.

5. A copy of Charter School's complaint procedures.

6. Other relevant information requested by the CDE.

If the CDE determines the appeal raises issues not contained in the local complaint, the CDE will refer those new issues back to Charter School for resolution as a new complaint. If the CDE notifies Charter School that its Decision failed to address an allegation raised by the complaint and subject to the UCP process, Charter School will investigate and address such allegation(s) in accordance with the UCP requirements and provide the CDE and the appellant with an amended Decision addressing such allegation(s) within twenty (20) calendar days of the CDE's notification. The amended Decision will inform the appellant of the right to separately appeal the amended Decision with respect to the complaint allegation(s) not addressed in the original Decision.

Within thirty (30) calendar days of the date of the CDE's appeal Decision pursuant to 5 C.C.R. section 4633(f)(2) or (3), either party may request reconsideration by the State Superintendent of Public Instruction ("SSPI") or the SSPI's designee. The request for reconsideration shall specify and explain the reason(s) for contesting the findings of fact, conclusions of law, or corrective actions in the CDE's appeal Decision. The SSPI will not consider any information not previously submitted to the CDE by a party during the appeal unless such information was unknown tothe party at the time of the appeal and, with due diligence, could not have become known to the party. Pending the SSPI's response to a request for reconsideration, the CDE appeal Decision remains in effectand enforceable, unless stayed by a court.

The CDE may directly intervene in the complaint without waiting for action by Charter School when one of the conditions listed in 5 C.C.R. section 4650 exists, including but not limited to cases in which through no fault of the complainant, Charter School has not taken action within sixty (60) calendar days of the date the complaint was filed with Charter School.

Civil Law Remedies

A complainant may pursue available civil law remedies outside of Charter School's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders. For unlawful discrimination complaints arising under state law, however, a complainant must wait until sixty (60) calendar days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies. The moratorium does not apply to injunctive relief and is applicable only if Charter School has appropriately, and in a timely manner, apprised the complainant of their right to file a complaint.

UNIFORM COMPLAINT PROCEDURE FORM

Last Name:_____First Name/MI: _____

Student Name (if applicable):_____Grade:_____Date of Birth: _____

Street Address/Apt. #: _____

City:_____State:_____Zip Code: _____

Home Phone:_____Cell Phone:_____Work Phone: _____

School/Office of Alleged Violation: _____

For allegation(s) of noncompliance, please check the program or activity referred to in your complaint, if applicable:

- Adult Education
- Career Technical and Technical Education/Career Technical and Technical Training
- Child Care and Development
- Consolidated Categorical Aid Programs
- Education of Students in Foster Care, Students who are Homeless, former Juvenile Court Students now enrolled in a Public School, Migratory Children and Children of Military Families
- Every Student Succeeds Act
- Local Control Funding Formula/ Local Control and Accountability Plan
- Migrant Education Programs
- Regional Occupational Centers and Programs
- School Plans for School Achievement
- School Safety Plan
- Pupil Fees
- Pregnant, Parenting or Lactating Students

For allegation(s) of unlawful discrimination, harassment, intimidation or bullying, please check the basis of the unlawful discrimination, harassment, intimidation or bullying described in your complaint, if applicable:

- Age
- Ancestry
- Color
- Disability (Mental or Physical)
- Ethnic Group Identification
- Gender / Gender Expression / Gender Identity
- Genetic Information
- Immigration Status/Citizenship
- Marital Status
- Medical Condition
- Nationality / National Origin
- Race or Ethnicity
- Religion
- Sex (Actual or Perceived)
- Sexual Orientation (Actual or Perceived)
- Based on association with a personor group with one or more of these actual or perceived characteristics

1. Please give facts about the complaint. Provide details such as the names of those involved, dates, whether witnesses were present, etc., that may be helpful to the complaint investigator.

_____

_____

_____

_____

_____

_____

_____

_____

2. Have you discussed your complaint or brought your complaint to any Charter School personnel? If you have, to whom did you take the complaint, and what was the result?

3. Please provide copies of any written documents that may be relevant or supportive of your complaint.

   I have attached supporting documents. _ Yes _ No

Signature:_____Date: _____

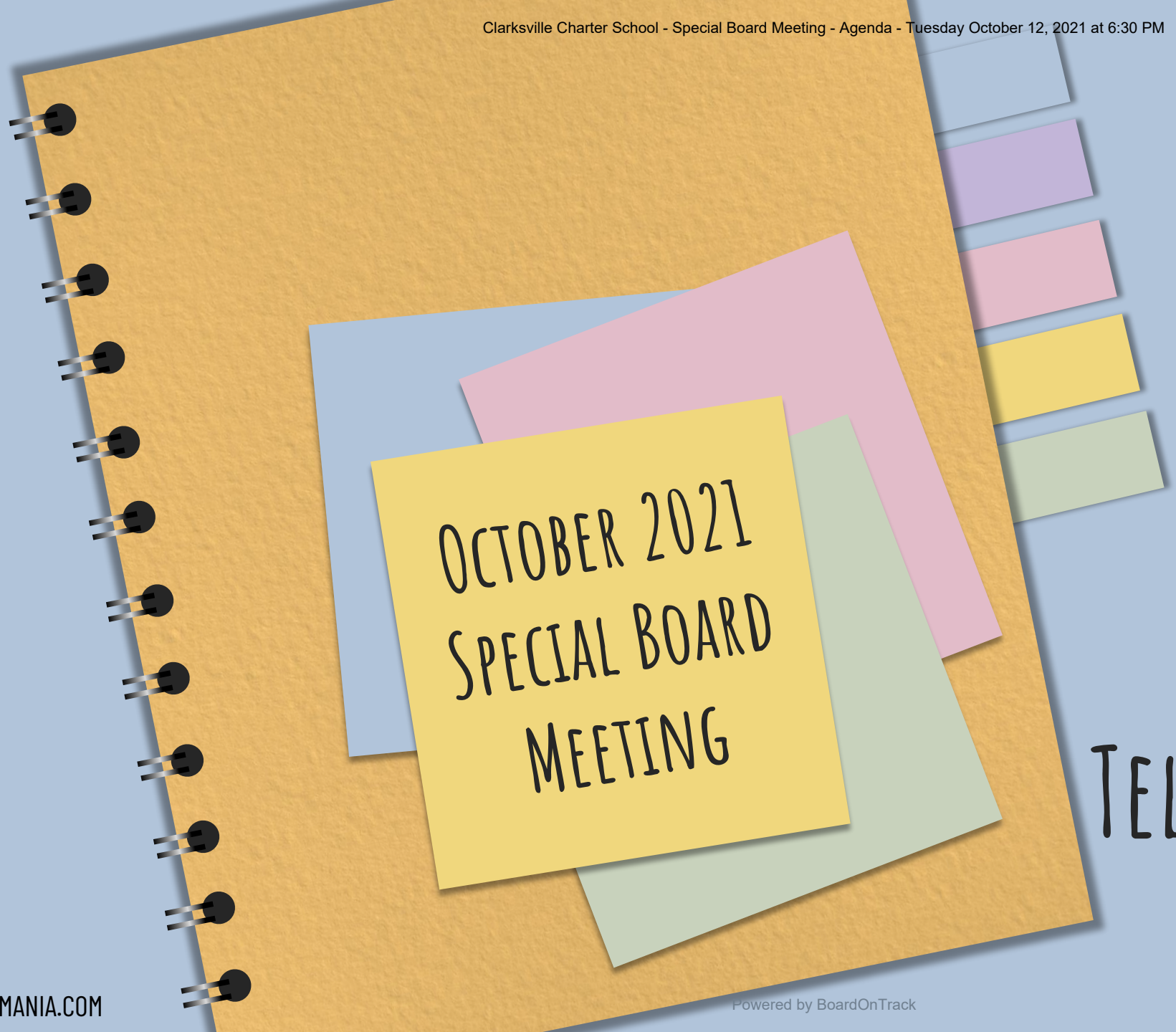
Mail complaint and any relevant documents to the Compliance Officer or designated individual(s):

Darcy Belleza ~~Deputy Director~~Director of Governance and Accountability
P.O. Box 760 Orangevale 95662
~~916- 664-8653~~916-526-3794

Coversheet

Resolution Regarding AB361

Section: III. Governance
Item: A. Resolution Regarding AB361
Purpose: Vote
Submitted by:
Related Material:
AB361 and COVID Teleconferencing Slides October Specials.pdf
Clarksville__Resolution_re_Continued_Conditions_for_Teleconference_Board_Meetings_5466360.1___1_.docx



AB 361 & COVID Teleconferencing

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School may use teleconferencing if:

- ☑ Notice & posting as usual
- ☑ Allow public to access the meeting
- ☑ Agenda includes Time for Public to Address Board Directly
- ☑ Agenda identifies & includes for person to attend via call-in or internet-based service option *



*No physical location required

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Only allowed if a proclaimed state of emergency exists AND:

State or local officials have imposed measures to promote social distancing

Meeting held for The purpose of determining, by majority vote, whether meeting in Person would present imminent risk to health/safety of attendees



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Only allowed if a proclaimed state of emergency exists and: (continued...)

Must offer Public comment in real time

Public Comment Period Shall Remain open for the time Specified on the Agenda

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Next steps



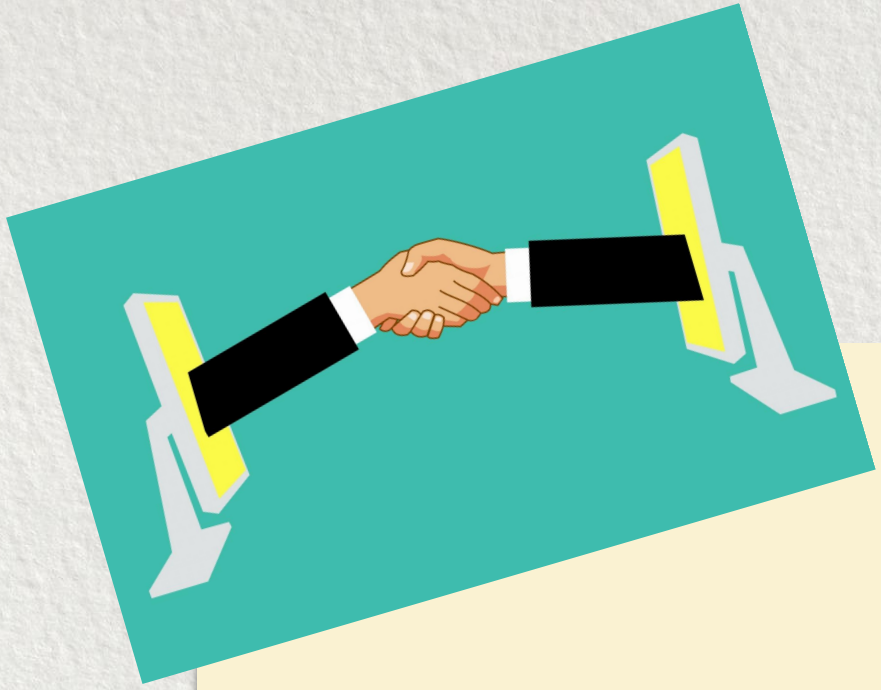
Comes into effect October 1, 2021.
Expires January 1, 2024

To Continue Covid teleconferencing rules, the Board must:

Within 30 days of the first teleconference meeting, and every 30 days thereafter, make the following Findings by majority Vote:

- Reconsider the State of Emergency (SOE)
  - State of Emergency directly impacts the ability to safely meet?
  - State or local officials continue to recommend social distancing?

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Meeting Locations

Take NOTE!

Non-Classroom based programs without a Facility or with one or more Resource Centers:

- During Covid/AB361, Governing Boards are not required to meet Physically
- When AB 361 expires: Meet in the County where the greatest number of students enrolled reside

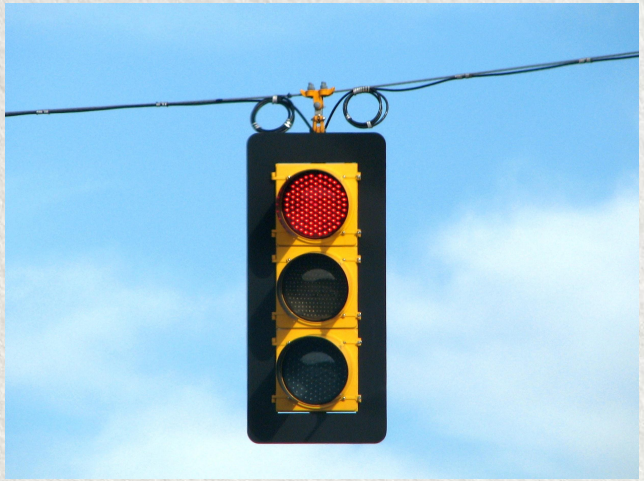
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Compliance - Teleconferencing

Required during COVID/AB361:

- [x] Votes taken by Roll call
- [x] Give Timely Notice of the Meeting and Post Agendas as Required by Brown act
- [x] Service Disruption/Disruption that prevents PUBLIC Comment, Stop the Meeting and take no further action until public access is restored





Not required during Covid/AB361:

- Agendas posted at teleconference location
- Quorum located within Geographical boundaries of school
- Public may participate from each location

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Any Questions?

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Thank You

RESOLUTION OF THE BOARD OF DIRECTORS OF CLARKVILLE CHARTER SCHOOL CONSIDERING THE CONTINUED STATE OF EMERGENCY AND CIRCUMSTANCES FOR BOARD MEETINGS BY TELECONFERENCE PURSUANT TO THE BROWN ACT #2021-7

WHEREAS, meetings of the Board of Directors ("Board") of Clarksville Charter School are called, held, and conducted in accordance with the Ralph M. Brown Act (Govt. Code § 54950, *et seq.*) (the "Brown Act"), as applicable.

WHEREAS, on or around March 4, 2020, Governor Newsom proclaimed a state of emergency in California in response to the coronavirus (COVID-19) outbreak. The state of emergency remains active, and state and local officials recommend health and safety measures to promote social distancing.

WHEREAS, on or around March 20, 2020, Governor Newsom issued Executive Order N-29-20 to temporarily suspend certain requirements under the Brown Act which, among other things, expanded flexibility to hold meetings by teleconference during the COVID-19 pandemic. Executive Order N-29-20 expires on September 30, 2021.

WHEREAS, following the recent enactment of Assembly Bill 361 (2021), revised Section 54953(e) of the Brown Act now provides modified conditions with regards to Board member and public participation by teleconference during a state of emergency in order to maintain social distancing.

NOW, THEREFORE, this Board hereby finds, resolves and orders as follows:

Section 1. After consideration or reconsideration, as applicable, of the circumstances of the ongoing state of emergency, this Board finds that such circumstances continue to directly impact the ability of Board members to meet safely in person and that state and local health officials continue to recommend measures to promote social distancing.

Section 2. In light of these ongoing circumstances, meetings of the Board, and its committees, if any, shall be called, held and conducted in accordance with the teleconferencing requirements of Section 54953(e)(2) of the Brown Act, rather than Section 54953(b)(3).

Section 3. This resolution shall take effect immediately upon its adoption and shall remain effective for thirty (30) days, or until this Board adopts a subsequent resolution in accordance with Section 54953(e), whichever occurs first.

Section 4. The officers of this Board, the Executive Director, or their designee(s), are individually authorized and directed to take or cause to be taken such other actions as may be required to fulfill the purposes of this resolution.

# # #

CERTIFICATE OF ADOPTION

I, _____, Secretary of Board of Directors of Clarksville Charter School, a California nonprofit public benefit corporation, County of El Dorado, California, hereby certify as follows:

The attached is a full, true, and correct copy of the resolutions duly adopted at a meeting of the Board of Directors of Clarksville Charter School, which was held on October 12, 2021, at which all the members of the Board of Directors had due notice and at which a quorum was present; and at such meeting such resolutions were adopted by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

WITNESS my hand this _____ day of _____, 2021.

_____
Secretary, Clarksville Charter School