



# AIMS K-12 College Prep Charter District

## Governance Committee Meeting

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### Date and Time

Tuesday February 5, 2019 at 2:00 PM PST

### Location

171 12th St Oakland Ca 94607

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AIMS does not discriminate on the basis of disability in the admission or access to, or treatment or employment in, its programs or activities. Marisol Magana has been designated to receive requests for disability-related modifications or accommodations in order to enable individuals with disabilities to participate in open and public meetings at AIMS. Please notify Marisol Magana at (510) 220-9985 at least 24 hours in advance of any disability accommodations being needed in order to participate in the meeting.

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### Agenda

	Purpose	Presenter	Time
<b>I. Opening Items</b>			<b>2:00 PM</b>
Opening Items			
<b>A.</b> Call the Meeting to Order			1 m
<b>B.</b> Record Attendance and Guests	Vote		2 m
<b>C.</b> Approve Prior Committee Meeting Minutes	Approve Minutes		2 m
<b>D.</b> Public Comments on Non-Action Items	Discuss		5 m

	Purpose	Presenter	Time
<p>Public Comment on Non-Action Items is set aside for members of the Public to address the items on the Board’s agenda prior to each agenda item. The Board of Directors will not respond or take action in response to Public Comment, except that the board may ask clarifying questions or direct staff. <b>Comments are limited to two (2) minutes per person, and a total time allotted for all public comment will not exceed thirty (30) minutes (10 minutes per section).</b></p>			
<b>E.</b>	Public Comments on Action Items		5 m
<p>Public Comment on Action Items is set aside for members of the Public to address the items on the Board’s agenda prior to each agenda item. The Board of Directors will not respond or take action in response to Public Comment, except that the board may ask clarifying questions or direct staff. <b>Comments are limited to two (2) minutes per person, and a total time allotted for all public comment will not exceed thirty (30) minutes (10 minutes per section).</b></p>			
<b>II.</b>	<b>Non-Action Items</b>		<b>2:15 PM</b>
<b>A.</b>	AIMS Board Bylaws	Discuss Toni Cook	5 m
<b>III.</b>	<b>Action Items</b>		<b>2:20 PM</b>
Governance			
<b>A.</b>	AIMS Official Style Guide	Vote Maurice Williams Jr., Head of Middle School	5 m
<b>B.</b>	AIMS Vehicle Policy	Vote Katema Ballentine, CBO	5 m
<b>IV.</b>	<b>Closed Session</b>		<b>2:30 PM</b>
<b>A.</b>	Public Comment on Closed Session Items	FYI	10 m
<p>Public Comment on Closed Session Items is set aside for members of the Public to address the items in this section prior to closed session. The Committee will not respond or take action in response to <b>Public Comment, except that the Committee may ask clarifying questions or direct staff. Comments are limited to two (2) minutes per person, and a total time allotted for all public comment will not exceed twenty (20) minutes (10 minutes per section).</b></p>			
<b>B.</b>	Recess to Closed Session	Discuss	20 m



# Coversheet

## AIMS Board Bylaws

**Section:** II. Non-Action Items  
**Item:** A. AIMS Board Bylaws  
**Purpose:** Discuss  
**Submitted by:**  
**Related Material:** Governance Committee CL - Bylaw Revisions.pdf  
5. AIMSBylaws[1439].Suggested Revisions.pdf



## AIMS Committee Meeting Item Cover Letter

Item: AIMS Board Bylaws

Presented By: Director Cook

Staff Recommendation: Discussion

Committee Approval: N/A

Approved by:

Total Associated Cost: N/A

Included in Budget? N/A

Over or Under Budget? N/A

Amount Over/Under Budget? N/A

Included in LCAP? N/A

Which LCAP? N/A

**BYLAWS  
OF  
AMERICAN INDIAN MODEL SCHOOLS.  
(A California Non-Profit Public Benefit Corporation)**

**Article 1  
OFFICES**

**SECTION 1. PRINCIPAL OFFICE**

The principal office of the corporation shall be located at 171 12<sup>th</sup> Street, Oakland, in Alameda County of California.

**SECTION 2. OTHER OFFICES OF THE CORPORATION**

The corporation may also establish branch or subordinate offices at any place or places within or without the state of California, where it is qualified to conduct its activities.

**Article 2  
PURPOSES**

**SECTION 1. PURPOSES**

The corporation's specific and general purposes are described in its Articles of Incorporation. With the intention being to meet the academic, social, cultural, and developmental needs of AIMS students.

~~-This section may need some update as the Articles of Incorporation indicates that the "specific purposes for which the corporation is organized are to meet the academic, social, cultural and developmental needs of American Indian students . . ."~~

**SECTION 2. POLICY OF NONDISCRIMINATION**

American Indian Model Schools is non-sectarian in its programs, policies, employment practices, and all other operations. It does not charge tuition or discriminate on the basis of race, national origin, gender, sexual orientation, religion or spiritual practice, or disability.

**Section 3. Role of the Board of Directors (Create Article)**

**Article 3  
DIRECTORS**

**SECTION 1. NUMBER AND QUALIFICATIONS**

The corporation shall have at least five (5) and no more than fifteen (7) directors and collectively they shall be known as the Board of Directors. The number may be changed by

amendment of these Bylaws, or repeal of these Bylaws and adoption of new Bylaws, as provided in these Bylaws.

The qualifications for Directors are generally the ability to attend board meetings, a willingness to actively support and promote the corporation and a dedication to its charitable endeavors. [A willingness and ability to make a sizeable charitable contribution to AIMS.](#)

To the extent reasonably practicable, at least ~~one parent~~, one business representative, and one educator shall serve on the Board.

**SECTION 2. NOMINATION OF CANDIDATES AND ELECTION TO THE BOARD**

~~The Directors who are to be elected by the Board of Directors shall be so elected at an annual meeting of the Board of Directors then in office.~~ Directors nominated to fill vacancies may be elected by majority vote at any regular or special meeting. Each director shall have one vote.

Any member of the school community may recommend any qualified candidate to serve on the Board of Directors, either to fill a vacancy, or as Director terms expire at the annual meeting. Any Director may nominate a qualified candidate to serve on the Board of Directors. Such nominations must be made by way of a motion at a duly convened meeting. Nominated candidates may be approved by majority action of the Board of Directors.

**SECTION 3. POWERS**

- (a) Subject to the provisions of the California Nonprofit Public Benefit Corporation law, any other applicable laws, and any limitations in the Articles of Incorporation and Bylaws relation to activities and affairs of this corporation shall be conducted and all corporate powers shall be exercised by or under the direction of the Board of Directors. ~~The Board may delegate the management of the corporation to any person(s), to a management company, or to committees, however composed, provided that the corporation's activities and affairs shall be managed and all corporate powers shall be exercised under the ultimate direction of the Board.~~ Without prejudice to such general powers, but subject to the same limitations, it is hereby expressly declared that the Board shall have the following powers in addition to the other powers enumerated in these Bylaws and permitted by law: Perform any and all duties imposed on them collectively or individually by law, by the Articles of Incorporation of this corporation, or by these Bylaws;
- (b) Develop, adopt, and monitor the implementation of a personnel policy; ~~to select and remove certain officers, agents, and employees of the corporation, and to prescribe such powers and duties for them as are compatible with law, the Articles of Incorporation, or these Bylaws; to fix their compensation; and to require from them security for faithful performance;~~

- (c) Review performance of the School Executive on an annual basis
- (d) Meet at such times and places as required by the Bylaws;
- (e) Register their addresses with the Secretary of the corporation and notices of meetings mailed, emailed, faxed or telegraphed to them at such addresses shall be valid notice thereof;
- (f) Oversee the fiduciary matters of the corporation and approve and monitor the annual budget;
- (g) Approve and monitor fund raising and development plans;
- (h) To borrow money and incur indebtedness for the corporation's purposes, and to cause to be executed and delivered therefor, in the corporate name, promissory notes, bonds, debentures, deeds of trust, mortgages, pledges, hypothecations, and other evidences of debt and security therefor;
- (i) To acquire by purchase, exchange, lease, gift, devise, bequest, or otherwise, and to hold, improve, sublease, mortgage, transfer in trust, encumber, convey or otherwise dispose of real and personal property;
- (j) To change the principal office or the principal business office in California from one location to another;
- (k) To enter into any contracts or other instruments, and do any and all other things incidental to or expedient for attainment of the corporation's purposes.

#### **SECTION 4. TERMS OF OFFICE**

Terms of office for each director shall typically be four years, with new directors seated at the annual board meeting and with terms staggered so that, as near as possible, one half of the Board comes to the end of their term each year. A director may serve no more than two consecutive four-year terms. Upon a showing of special circumstances, a director may request, and with Board approval, be appointed to a one-year term. Parent Board members will have the option to limit their Board term to the time that their child or children attends an AIMS school.

#### **SECTION 5. COMPENSATION**

Directors shall serve without compensation.—~~They~~ but, may be allowed reasonable advancement or reimbursement of expenses incurred in the performance of their regular duties as specified in Section 3 of this Article.

#### **SECTION 6. RESTRICTION REGARDING INTERESTED DIRECTORS**

Notwithstanding any other provision of these Bylaws not more than twenty-five percent



(25%) of persons serving on the board may be interested persons. For purposes of this section, “interested persons” mean either:

- (a) Any person currently being compensated by the corporation for services rendered it within the previous twelve (12) months, whether as a full-or part-time officer or other employee, independent contractor, or otherwise, excluding any reasonable compensation paid to a director as director; or
- (b) Any brother, sister, ancestor, descendant, spouse, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in law or father-in-law of any such person.

However, any violation of the provisions of this section shall not affect the validity or enforceability of any transaction entered into by the corporation.

#### **SECTION 7. PLACE OF MEETINGS**

Meetings shall be held at the principal office of the corporation – the publicly noticed location stated on an agenda posted in compliance with the Brown Act. Any meeting regular or special, may be held by conference telephone or any conferencing technology, so long as all directors participation in such a meeting can hear each other and all other applicable legal requirements are complied with including, but not limited to “the Brown Act” Cal. Gov. Code § 54950 et seq.

#### **SECTION 8. REGULAR AND ANNUAL MEETINGS**

Regular meetings of directors shall be held at least quarterly, at such date and time as determined by the Board of Directors. Regular meetings shall typically be held on the Third Tuesday of each month at the publicly noticed location.

This corporation makes no provision for members, therefore, at the annual meetings of directors held on the third Tuesday of June, unless such day falls on a legal holiday, in which event the regular meeting shall be held at the same hour and place on the next business day. Directors shall be elected by the Board of Directors in accordance with this section. ..

#### **SECTION 9. SPECIAL MEETINGS**

~~Special meetings of the Board of Directors may be called by the President, the Vice President, the Secretary, or by any two directors, and such meetings shall be held at the place, within or without the State of California, designated by the person or persons call the meeting, and in the absence of such designation, at the principal office of the corporation. Any and all special meetings must comply with all applicable laws, including but not limited to “the Brown Act” Cal. Gov. Code § 54950 et seq.~~

#### **SECTION 10. NOTICE OF MEETINGS ( Brown Act Language0**

~~Regular meetings of the board may be held with seventy-two (72) hours' notice. Special meetings of the board shall be held upon five (5) days' notice by first-class mail or twenty-four (24) hours' notice delivered personally or by telephone (including a voice messaging system or other system or technology designed to record and communicate messages), telegraph, facsimile, electronic mail, or other electronic means. If sent by mail or telegraphy, the notice shall be deemed to be delivered on its deposit in the mail or on its delivery to the telegraph company. Any other written notice shall be deemed received at the time it is personally delivered to the recipient or is delivered to a common carrier for transmission, or is actually transmitted by the person giving the notice by electronic means to the recipient. Oral notice shall be deemed received at the time it is communicated, in person or by telephone or wireless, to the recipient or to a person at the office of the recipient whom the person giving the notice has reason to believe will promptly communicate it to the receiver. Such notices shall be addressed to each director at his or her address as shown on the books of the corporation. Notice of the time and place of holding and adjourned meeting need not be given to absent directors if the time and place of the adjourned meeting are fixed at the meeting adjourned and if such adjourned meeting is held no more than twenty-four (24) hours from the time of the original meeting. Notice shall be given of any adjourned regular or special meeting to the directors absent from the original meeting if the adjourned meeting is held more than twenty-four (24) hours from the time of the original meeting.~~

#### **SECTION 11. CONTENTS OF NOTICE**

Notice of meetings not herein dispensed with shall specify the place, day and hour of the meeting. The purpose of any regular or special board meeting shall be specified consistent with the Brown Act.

#### **SECTION 12. WAIVER OF NOTICE AND CONSENT TO HOLDING MEETINGS**

The transactions of any meeting of the board, however called and noticed or wherever held, are as valid as though the meeting had been duly held after proper call and notice, provided a quorum, as hereinafter defined, is present and provided that either before or after the meeting each director not present signs a waiver of notice, a constant to holding the meeting, or an approval of the minutes thereof. All such waivers, consents, or approvals shall be filed with the corporate records or made a part of the minutes of the meeting.

#### **SECTION 13. QUORUM FOR MEETINGS**

A quorum shall consist of a majority of the Board of Directors then in office.

Except as otherwise provided in these Bylaws or in the Articles of Incorporation of this corporation, or by law, no business shall be considered by the board at any meeting at which a quorum, as hereinafter defined, is not present, and the only motion which the Chair shall entertain at such meeting is a motion to adjourn. However, a majority of the directors present at such meeting may adjourn from time to time until fixed for the next regular meeting of the board.

When a meeting is adjourned for lack of a quorum, it shall not be necessary to give any notice of the time and place of the adjourned meeting or of the business to be transacted at such meeting, other than by announcement at the meeting at which the adjournment is taken, except as provided in Section 10 of this Article.

The directors present at a duly called and held meeting at which a quorum is initially present may continue to do business notwithstanding the loss of a quorum at the meeting due to a withdrawal from the meeting, provided that an action thereafter taken must be approved by at least a majority of the required quorum for such meeting or such greater percentage as may be required by law, or the Articles of Incorporation or Bylaws of this corporation. Directors may not vote by proxy.

#### **SECTION 14. MAJORITY ACTION AS BOARD ACTION**

Every act or decision done or made by a majority of the directors present at a meeting duly held at which a quorum is present is the act of the Board of Directors, unless the Articles of Incorporation or Bylaws of this corporation, or provisions of the California Nonprofit Public Benefit Corporation Law, particularly those provisions relating to appointment of committee (Section 5212), approval of contracts or transactions in which a director has a material financial interest (Section 5233) and indemnification of directors (Section 5238e), require a greater percentage of different voting rules for approval or a matter by the board.

#### **SECTION 15. CONDUCT OF MEETINGS**

Meetings of the Board of Directors shall be presided over by the President of the Board, or, if no such person has been so designated or, in his or her absence, by the Vice President of the corporation or, in the absence of each of these persons, by a Chairperson chosen by a majority of the directors present at the meeting. The Secretary of the corporation or his or her designee, shall act as secretary of all meetings of the board, provided that, in his or her absence, the presiding officer shall appoint another person to act as Secretary of the Meeting.

Meetings shall be governed by rules adopted by the Board of Directors, as such rules may be revised from time to time, insofar as such rules are not inconsistent with or in conflict with these Bylaws, with the Articles of Incorporation of this corporation, or with provisions of law. The Board may choose to use Robert's Rules of Order as a guide for its meetings.

#### **SECTION 16. VACANCIES**

Vacancies on the Board of Directors shall exist (1) on death, resignation or removal of any director, and (2) whenever the number of authorized directors is increased.

The Board of Directors may declare vacant the office of a director who has been declared of unsound mind by a final order of court, or convicted of a felony, or been found by a final

order or judgment of any court to have breached any duty under in Section 5230 and following of the California Nonprofit Public Benefit Corporation Law.

Directors may be removed without cause by a majority of the directors then in office. Any director missing two consecutive board meetings—~~is~~ may be subject to removal. Said removal can be effectuated through majority vote of those directors present.

Any director may resign effective upon given written notice to the Chairperson of the Board, the President, the Secretary, or the Board of Directors, unless the notice specifies a later time for the effectiveness of such resignation. No director may resign if the corporation would then be left without a duly elected director or directors in charge of its affairs, except upon notice to the attorney general.

Vacancies on the board may be filled. Directors nominated to fill vacancies may be elected by majority vote at any regular or special meeting.

A person elected to fill a vacancy as provided by this Section shall hold office until the end of the term they are filling or until his or her death, resignation or removal from office.

#### **SECTION 17. NON-LIABILITY OF DIRECTORS**

The directors **and officers of the corporation** shall not be personally liable for the debts, liabilities, or other obligations of the corporation.

#### **SECTION 18. INDEMNIFICATION BY CORPORATION OF DIRECTORS, OFFICERS, EMPLOYEES AND OTHER AGENTS**

To the fullest extent permitted by law, this corporation may indemnify its Directors, officers, employees and other persons described in Corporations Code section 5238(a), including persons formerly occupying such positions, against all expenses, judgments, fines, settlements, and other amounts actually and reasonably incurred by them in connection with any “proceeding” as that term is used in that section, and including an action by or in the right of the corporation by reason of the fact that the person is or was a person described in that section. “Expenses” shall have the same meaning herein as in Section 5238(a) of the Corporations Code. On written request to the Board by any person seeking indemnification under Corporations Code Section 5238(b) or (c), the Board shall decide under Corporations Code Section 5238(e) whether the applicable standard of conduct set forth in Corporations Code Section 5238(b) or (c) has been met, and if so, the Board may authorize indemnification.

To the extent that a person who is, or was, a director, officer, employee or other agent of this corporation has been successful on the merits in defense of any civil criminal, administrative or investigative proceeding brought to procure a judgment against such person by reason of the fact that he or she is, or was, an agent of the corporation, or has been successful in the defense of any claim, issue or matter, therein, such person shall be indemnified against expenses actually

and reasonably incurred by the person in connection with such proceeding.

**SECTION 19. If such person either settles any such claim or sustains a judgment against him or her, then indemnification against expense, judgments, fines, settlements and other amounts reasonably incurred in connection with such proceedings shall be provided by this corporation but only to the extent allowed by, and in accordance with the requirements of, Section 5233 of the California Nonprofit Public Benefit Corporation Law.INSURANCE AND CORPORATE AGENTS**

The corporation shall have the power to purchase and maintain insurance on behalf of any agent of the corporation (including a director, officer, employee or other agent of the corporation) to cover any liability asserted or against any agent of the corporation in such capacity or arising from the agent of the corporation's status as such, including other than for violating provisions of law relating to self-dealing (Section 5233 of the California Nonprofit Public Benefit Corporation Law) asserted against or incurred by the agent in such capacity of arising out of the agent's status as such, whether or not the corporation would have the power to indemnify the agent against such liability under the provisions of Section 5238 of the California Nonprofit Public Benefit Corporation Law.

#### **Article 4 ORGANIZATION**

The Board of Directors shall hold its annual organizing meeting on, or before, October 30th at which time the Board will elect its President, Vice-President, Secretary and Treasurer. In addition, the President shall name the chairpersons of the Board's standing committees.

#### **Article 5 OFFICERS**

##### **SECTION 1. NUMBER OF OFFICERS**

The officers of the corporation shall be a President, a Secretary, and a ~~Chief Financial Officer who shall be designated the~~ Treasurer. The corporation may also have, as determined by the Board of Directors, a Chairperson of the Board, one or more Vice Presidents, Assistant Secretaries, Assistant Treasurer, or other officers. Any number of officers may be held by the same person except that neither the Secretary nor the Treasurer may serve as the President or Chairperson of the Board.

##### **SECTION 2. QUALIFICATION, ELECTION, AND TERM OF OFFICE**

Any person may serve as officer of this corporation. Officers shall be elected by the Board of Directors, at any time, and each officer shall hold office for an annual term, or until his or her successor shall be elected and qualified, whichever occurs first.

##### **SECTION 3. SUBORDINATE OFFICERS**

The Board of Directors may appoint such officers or agents as it may deem desirable, and such officers shall serve such terms, have such authority, and perform such duties as may be prescribed from time to time by the Board of Directors.

#### **SECTION 4. REMOVAL AND RESIGNATION**

Any officer may be removed without cause by the Board of Directors at any time by majority vote of those directors' present at a duly held meeting. Any officer may resign at any time by giving written notice to the Board of Directors or to the President or Secretary of the corporation any such resignation shall take effect at the date of receipt of such notice or at any later date specified therein, and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective. The above provisions of this Section shall be superseded by any conflicting terms of a contract which has been approved or ratified by the Board of Directors relating to the employment of any officer of the corporation.

#### **SECTION 5. VACANCIES**

Any vacancy caused by the death, resignation, removal, disqualification, or otherwise of any officer shall be filled by the Board of Directors. In the event of a vacancy in any office other than the President, such vacancy may be filled temporarily by appointment by the President until such time as the Board shall fill the vacancy. Vacancies occurring in officers of the officers appointed at the discretion of the board may or may not be filled as the board shall determine.

#### **SECTION 6. DUTIES OF PRESIDENT**

~~The President shall be the chief executive officer of the corporation and shall, subject to the control of the Board of Directors, supervise and control the affairs of the corporation and the activities of the officers. He or she~~ The president shall perform all duties incident to his or her office and such other duties as may be required by law, by the Articles of Incorporation of this corporation, or by these Bylaws, or which may be prescribed from time to time by the Board of Directors. Unless another person is specifically appointed as Chairperson of the Board of Directors, he or she shall preside at all meetings of the Board of Directors. If applicable, the President shall preside at all meetings of the members. Except as otherwise expressly provided by law, by the Articles of Incorporation, or by these Bylaws, he or she shall, in the name of, the corporation, execute such deeds, mortgages, bonds, contracts, checks, or other instruments which may from time to time be authorized by the Board of Directors.

#### **SECTION 7. DUTIES OF VICE PRESIDENT**

In the absence of the President, or in the event of his or her inability or refusal to act, the Vice President shall perform all the duties of the President, and when so acting shall have all the powers of, and be subject to all the restrictions on, the President. The Vice President shall have other powers and perform such other duties as be prescribed by law, by the Articles of Incorporation, or by these Bylaws, or as may be prescribed by the Board of Directors.

## **SECTION 8. DUTIES OF SECRETARY**

The Secretary shall:

Certify and keep at the principal office of the corporation the original, or a copy of these Bylaws as amended to date.

Keep at the principal office of the corporation or such other place as the board may determine, a book of minutes of all meetings of the directors, and, if applicable, meetings of committees of directors and of members, recording therein the time and place of holding, whether regular or special, how called, how notice thereof was given, the names of those present or represented at the meeting, and the proceedings thereof.

See that all notices are duly given in accordance with the provisions of these Bylaws or as required by law.

Be custodian of the records and of the seal of the corporation and see that the seal is affixed to all duly executed documents, the execution of which on behalf of the corporation under its seal is authorized by law or these Bylaws.

Keep at the principal office of the corporation a membership book containing the name and address of each and any members, and, in the case where any membership has been terminated, he or she shall record such fact in the membership book together with the date on which such membership ceased.

Exhibit at all reasonable times to any director of the corporation, or his or her agent or attorney, on request therefore, the Bylaws, the membership book, and the minutes of the proceedings of the directors of the corporation.

In general, perform all duties incident to the office of secretary and such other duties as may be required by law, by the Articles of Incorporation of this corporation, or by these Bylaws, or which may be assigned to him or her from time to time by the Board of Directors.

## **SECTION 9. DUTIES OF TREASURER**

~~Subject to the provisions of these Bylaws relating to the "execution of Instruments, Deposits and Funds," the Treasurer shall:~~

~~Have charge and custody of, and be responsible for, all funds and securities of the corporation, and deposit all such funds in the name of the corporation in such banks, trust companies, or other depositories as shall be selected by the Board of Directors.~~

~~Receive, and give receipt for, the monies due and payable to the corporation from any source whatsoever.~~



~~Disburse, or cause to be disbursed, the funds of the corporation as may be directed by the Board of Directors, taking proper vouchers for such disbursements.~~

~~Keep and maintain adequate and correct accounts of the corporation's properties and business transactions, including accounts of its assets, liabilities, receipts, disbursements, gains and losses.~~

~~Exhibit all reasonable times the books of accounts and financial records to any director of the corporation, or to his or her agent or attorney, on request therefore.~~

~~Render to the President and directors, whenever requested, an account of any or all of his or her transactions as Treasurer and of the financial condition of the corporation.~~

~~Prepare, or cause to be prepared, and certify, or cause to be certified, the financial statements to be included in any required reports.~~

~~In general, perform all duties incident to the office of Treasurer and such other duties as may be required by law, by the Articles of Incorporation of the corporation, or by these Bylaws, or which may be assigned to him or her from time to time by the Board of Directors.~~

## **SECTION 10. COMPENSATION**

The salaries of the officers, if any, shall be fixed from time to time by resolution of the Board of Directors, and no officer shall be prevented from receiving such salary by reason of the fact that her or she is also a director of the corporation, provided, however, that such compensation paid a director for serving as an officer of this corporation shall only be allowed if permitted under the provisions of the Article 3, Section 6 of these Bylaws. In all cases, any salaries received by officers of this corporation shall be reasonable and given in return for services actually rendered for the corporation which relate to the performance of the charitable or public purposes of this corporation. Notwithstanding the foregoing, the President, Vice President, Secretary and Treasurer shall not receive compensation for holding such offices.

## **Article 6 COMMITTEES**

### **SECTION 1. EXECUTIVE COMMITTEE**

The Board of Directors may, by a majority vote of directors designates two (2) or more of its members (who may also be serving as officers of this corporation) to constitute an Executive Committee and delegate to such Committee any of the powers and authority of the board in the management of the business and affairs for the corporation, except with respect to:

- (a) The approval of any action which, under law or the provisions of these Bylaws, requires the approval of the members or of a majority of all the members.
- (b) The filling of vacancies on the board or any committee which has the authority of



the board.

- (c) The fixing of compensation of the directors for serving on the board or on any committee.
- (d) The amendment or repeal of Bylaws or the adoption of new Bylaws.
- (e) The amendment or repeal or any resolution of the board which by its express terms is not so amendable or repeatable.
- (f) The appointment of committees of the board or the members thereof.
- (g) The expenditure of corporate funds to support a nominee for director after there are more people nominated for director than can be elected.
- (h) The approval of any transaction to which this corporation is a party and in which one or more of the directors has a material financial interest, except as expressly provided Section 5233(d)(3) of the California Nonprofit Public Benefit Corporation Law.

By a majority vote of its members then in office the board may at any time revoke or modify any or all of the authority so delegated, increase or decrease but not below two (2) the number of its members, and fill vacancies therein from the members of the board. The Committee shall keep regular minutes of its proceedings, cause them to be filed with the corporate records, and report the same to the board from time to time as the board may require.

**SECTION 2. OTHER COMMITTEES – This section needs to be revised to include the name and description of the “standing committees.” This includes Governance Committee, Finance Committee, Facilities Committee, Education Committee (maybe) and Development Committee.**

The corporation shall have such other committees as may from time to time be designated by resolution of the Board of Directors. Such other committees may consist of persons who are not also members of the board. These additional committees may consist of persons who are not also members of the board. These additional committees shall act in an advisory capacity only to the board and shall be clearly titled as “advisory” committees.

**SECTION 3. MEETINGS AND ACTION OF COMMITTEES**

Except as otherwise allowed pursuant to the Brown Act, meetings and action of committees shall be governed by, noticed, held and taken in accordance with the provisions of these Bylaws concerning meetings of the Board of Directors, with such changes in the context of such Bylaw provisions as are necessary to substitute the committee and its members for the Board of Directors and its members, except that the time for regular meetings of committees may be fixed by the Board of Directors. The Board of Directors may also adopt rules and regulations

pertaining to the conduct of meetings of committees to the extent that such rules and regulations are not inconsistent with the provisions of these Bylaws.

## **Article 7 – Conflict of Interest**

**Pursuant to section 4 of the standard Code, all Board of Actives, Superintendent and other designated employees shall file Statements of Economic Interests (Form 700) with the American Indian Model Schools \_\_\_\_\_ Office. All statements shall be available for public inspection and reproduction. (Gov. Code, 81008.) All statements will be retained for at least 5 years.**

## **Article 8**

### **EXECUTION OF INSTRUMENTS, DEPOSITS AND FUNDS**

#### **SECTION 1. EXECUTION OF INSTRUMENTS**

The Board of Directors, except as otherwise provided in these Bylaws, may by resolution authorize any officer or agent of the corporation to enter into any contract or execute and deliver any instrument in the name of and on behalf of the corporation, and such authority may be general or confined to specific instances. Unless so expressly authorized, no officer, agent, or employee shall have any power or authority to bind the corporation by any contract or engagement or to pledge its credit or render it liable monetarily for any purpose or in any amount.

#### **SECTION 2. CHECKS AND NOTES**

Except as otherwise specifically determined by resolution of the Board of Directors, or as otherwise required by law, checks, drafts, promissory notes, orders for payments of money, and other evidence of indebtedness of the corporation shall be signed by the Treasurer and countersigned by the President of the corporation.

#### **SECTION 3. DEPOSITS**

All funds of the corporation shall be deposited from time to time to the credit of the corporation in such banks, trust companies, or other depositories as the Board of Directors may select.

#### **SECTION 4. GIFTS**

The Board of Directors may accept on behalf of the corporation any contribution, gift, bequest, or devise for the charitable or public purpose of this corporation.

**Article 9**  
**CORPORATE RECORDS, REPORTS, AND SEAL**

**SECTION 1. MAINTENANCE OF CORPORATE RECORDS**

The corporation shall keep at its principal office in the State of California:

- (a) Minutes of all meetings of directors and committees of the board, indicating the time and place of holding such meetings, whether regular or special, how called, the notice given, and the names of those present and the proceedings thereof;
- (b) Adequate and correct books and records of account, including accounts of its properties an business transactions and accounts of its assets, liabilities, receipts, disbursements, gains and losses.

**SECTION 2. CORPORATE SEAL**

The Board of Directors may adopt, use, and at will alter, a corporate seal. Such seal shall be kept at the principal office of the corporation. Failure to affix the seal to corporate instruments, however, shall not affect the validity of any such instrument.

**SECTION 3. DIRECTORS' INSPECTION RIGHTS**

Every director shall have the absolute right at any reasonable time to inspect and copy all books, records and documents of every kind and to inspect the physical properties of the corporation.

**SECTION 4. RIGHT TO COPY AND MAKE EXTRACTS**

Any inspection under the provisions of the article may be made in person of by agent or attorney and the right to inspection includes the right to copy and make extracts.

**SECTION 5. ANNUAL REPORT**

The board shall cause an annual report to be furnished not later than one hundred and twenty (120) days after the close of the corporation's fiscal year to all directors of the corporation. The Annual Report shall contain the following information:

- (a) The assets and liabilities, including the trust funds, of the corporation as of the end of the fiscal year;
- (b) The principal changes in assets and liabilities, including trust funds, during the fiscal year;
- (c) The revenue or receipts of the corporation, both unrestricted and restricted to

particular purposes, for the fiscal year;

- (d) The expenses or receipts of the corporation, for both general and restricted purposes, during the fiscal year;
- (e) Any information required by Section 7 of this Article.

The annual report shall be accompanied by any report thereon of independent accountants, or, if there is no such report, the certificate of an authorized officer of the corporation that such statements were prepared without audit from the books and records of the corporation.

## **SECTION 6. ANNUAL STATEMENT OF SPECIFIC TRANSACTIONS**

This corporation shall mail or deliver to all directors a statement within one hundred and twenty (120) after the close of its fiscal year which briefly describes the amount and circumstances of any indemnification or transaction of the following kind:

- (a) Any transaction in which the corporation, or its parent or its subsidiary, was a party, and in which either of the following had a direct or indirect material financial interest;
- (b) Any director or officer of the corporation, or its parent or subsidiary (a more common directorship shall not be considered a material financial interest); or
- (c) Any holder of more than ten percent (10%) of the voting power of the corporation, its parent or its subsidiary.

The above statement need only be provide with respect to a transaction during the previous fiscal year involving more than Fifth Thousand Dollars (\$50,000) or which was one of a number of transactions with the same persons involving, in the aggregate, more than Fifty Thousand Dollars (\$50,000).

Similarly, the statement need only be provided with respect to indemnifications or advances aggregating more than Ten Thousand Dollars (\$10,000) paid during the previous fiscal year to any director or officer.

Any statement required by this Section shall briefly describe the names of the interested persons involved in such transactions stating each person's in the transaction and, when practical, the amount of such interest, provided that in the case or a transaction with a partnership of which such person is a partner, only the interest of the partnership need be stated.

## **Article 10 FISCAL YEAR**

**SECTION 1. FISCAL YEAR OF THE CORPORATION**

The fiscal year of the corporation shall begin on the 1<sup>st</sup> of July and end on the 30<sup>th</sup> of June in each year.

**Article 11  
AMENDMENT OF BYLAWS**

**SECTION 1. AMENDMENT**

Subject to any provision of law applicable to the amendment of Bylaws of public benefit nonprofit corporations, these Bylaws, or any of them, may be altered, amended, or repealed and new Bylaws adopted by the Board of Directors. These Bylaws and any amendments to these Bylaws shall become effective immediately upon their adoption.

**Article 12  
AMENDMENT OF ARTICLES**

**SECTION 1. AMENDMENTS**

Any amendment of the Articles of Incorporation may be adopted by the Board of Directors.

**Article 13  
PROHIBITION AGAINST SHARING CORPORATE PROFITS AND ASSETS**

**SECTION 1. PROHIBITION AGAINST SHARING CORPORATE PROFITS AND ASSETS**

No director, officer, employee, or other person connected with this corporation, or any private individual, shall receive at any time any of the net earnings or pecuniary profit from the operations of the corporation, provided, however, that this provision shall not prevent payment to any such person of reasonable compensation for services performed for the corporation in effecting any of its public or charitable purposes, provided that such compensation is otherwise permitted by these Bylaws and is fixed by resolution of the Board of Directors; and no such person or persons shall be entitled to share in the distribution of, and shall not receive, any of the corporate assets on dissolution of the corporation. All members, if any, of the corporation shall be deemed to have expressly consented and agreed that on such dissolution or winding up of affairs of the corporation, whether voluntarily or involuntarily, the assets of the corporation, after all debts have been satisfied, shall be distributed as required by the Articles of Incorporation of this Corporation and not otherwise.

## **Article 14 MEMBERS**

### **SECTION 1. NO MEMBERS**

This corporation shall not have any members. Therefore, pursuant to Section 5310(b) of the Nonprofit Public Benefit Corporation Law of the State of California, any action which would otherwise, under law or the provisions of the Articles of Incorporation or Bylaws of this corporation, require approval by a majority of all members or approval by the members, shall only require the approval of the Board of Directors. All rights that would otherwise vest in the members shall vest in the Board of Directors.

### **SECTION 2. ASSOCIATES**

Nothing in this Article 12 shall be construed as limiting the right of the corporation to refer to persons associated with it as “members” even though such persons are not members of the corporation, and no such reference shall make anyone a member within the meaning of Section 5056 of the California Nonprofit Public Benefit Corporation Law, including honorary or donor members. Such individuals may originate and take part in the discussion of any subject that may properly come before any meeting of the Board, but may not vote. The corporation may confer by amendment of its Articles of Incorporation or these Bylaws some or all of the rights of a members, as set forth in the California Nonprofit Public Benefit Corporation Law, upon any person who does not have the right to vote for the election of directors, on a disposition of substantially all of the corporation’s assets, on the merger or dissolution of it, or on changes to its Articles of Incorporation or Bylaws, but no such person shall be a member within the meaning of Section 5056. The Board may also, in its discretion, without establishing memberships, establish an advisory council or honorary board or such other auxiliary groups as it deems appropriate to advise and support the corporation.

**CERTIFICATE OF SECRETARY**

The undersigned does hereby certify that the undersigned is the Secretary of American Indian Model Schools, a nonprofit public benefit corporation duly organized and existing under the laws of the State of California, that the foregoing Bylaws, consisting of \_\_\_\_\_ (\_\_\_) pages, of said corporation were duly and regularly adopted as such by the Board of Directors of said corporation at a meeting held on \_\_\_\_\_, 2015, and that the above and foregoing Bylaws are now in full force and effect.

Executed on \_\_\_\_\_ at \_\_\_\_\_, California.

Secretary, American Indian Model Schools





# Coversheet

## AIMS Official Style Guide

**Section:** III. Action Items  
**Item:** A. AIMS Official Style Guide  
**Purpose:** Vote  
**Submitted by:**  
**Related Material:** Governance Committee CL - Style Guide.pdf



## AIMS Committee Meeting Item Cover Letter

Item: AIMS Official Style Guide

Presented By: Maurice Williams Jr, Head of Middle School

Staff Recommendation: Approve

Committee Approval: N/A

Approved by:

Total Associated Cost: N/A

Included in Budget? N/A

Over or Under Budget? N/A

Amount Over/Under Budget? N/A

Included in LCAP? N/A

Which LCAP? N/A

# Coversheet

## AIMS Vehicle Policy

<b>Section:</b>	III. Action Items
<b>Item:</b>	B. AIMS Vehicle Policy
<b>Purpose:</b>	Vote
<b>Submitted by:</b>	
<b>Related Material:</b>	Governance Committee CL - Vehicle Policy.pdf Vehicle Use Policy.pdf



## AIMS Committee Meeting Item Cover Letter

Item: AIMS Vehicle Policy

Presented By: Katema Ballentine, CBO

Staff Recommendation: Approve

Committee Approval: N/A

Approved by:

Total Associated Cost: N/A

Included in Budget? N/A

Over or Under Budget? N/A

Amount Over/Under Budget? N/A

Included in LCAP? N/A

Which LCAP? N/A

## AMERICAN INDIAN MODEL SCHOOLS

### Board Policy

BP XXXX

### Business and Non-instructional Operations

#### ***Vehicle Use***

It is the policy of the American Indian Model Schools that all persons authorized to drive on School business exhibit safe and courteous driving practices, that vehicles be deployed in a manner which best serves the mission of AIMS, and that vehicles be maintained in safe working order. In accordance with this policy, it is the intent of the Board that AIMS vehicles be utilized for AIMS business only. Any other use is strictly prohibited unless prior permission is granted by the Superintendent or Designee.

This Policy sets forth the rules, regulations and procedures that govern the use of vehicles on School business. This includes both AIMS Owned and Non-Owned Vehicles. Non-Owned Vehicles include those vehicles owned, leased or rented by employees or others driving on AIMS business. These procedures shall apply to any person driving on AIMS business, including but not limited to employees, consultants, parents, volunteers or members of the Board of Education.

#### ***Financial Responsibility and Liability***

##### *District Owned Vehicles*

The District may be liable for damages incurred as a result of the negligent operation of its vehicles by its permissive users while engaged in authorized District business. Any person who uses a District vehicle for other than authorized District business may be personally liable for any damage arising from their unauthorized use.

##### *Non-District Owned Vehicles*

All persons driving Non-District owned vehicles on AIMS business are required to comply with the Financial Responsibility laws set out in the California Vehicle Code. The registered owner of Non-District owned vehicles shall be responsible for damages incurred as a result of a negligent or wrongful act or omission in the operation of the motor vehicle while on District business (See California Vehicle Code Section 17150 and this Policy, "Insurance for Non-Owned Vehicles").

#### ***Responsibility for Enforcement***

The Department Head or Site Administrator shall be responsible for ensuring that the procedures outlined in this Policy are followed by any person permitted to drive on AIMS business at the Site or Department level. The appropriate Head shall be responsible for enforcement of these provisions among persons driving on AIMS business. The President of the Board of Education shall be responsible for the

enforcement of these vehicle use procedures by members of the Board or the Board's employees.

### ***Use of AIMS Vans***

1. Site and central budgets will be assessed for costs of vans
2. Priority of use goes to athletic engagements that are not within walking distance
3. All keys will be kept in the business office and signed out
4. All drivers must be pre-approved and insured
5. Vans must be reserved one week in advance
6. When appropriate booster seats must be used
7. Vans tanks must be filled with gas upon return to site
8. Vans must be clean inside and out when returned
9. Any damage or wear must be reported to the business office
10. All policies in this full policy must be met in reference to the vans

### ***Employee Eligibility for Driving on District Business***

No AIMS employee or Board of Education member may use an AIMS owned vehicle without demonstrating that they possess a valid California driver's license and satisfactory driving record (see definition of satisfactory driving record below). No prospective employee shall be hired for a position which may require driving on AIMS business if the prospective employee does not possess a satisfactory driving record and a valid California driver's license. Existing employees whose job duties include driving shall always be required to possess a valid California driver's license and satisfactory driving record. Failure to maintain a valid California driver's license or a satisfactory driving record shall be grounds for immediate suspension of an employee's eligibility to drive on AIMS business, whether it is in an AIMS Owned or Non-Owned vehicle. Failure to maintain a valid California driver's license and satisfactory driving record shall be grounds for disciplinary action, up to and including dismissal for those employees whose job requires driving on District business.

All AIMS employees, whose job duties include driving on AIMS business, shall provide acceptable written verification to their supervisor annually, on or about January 1, certifying their driver's license status.

All District employees whose job duties include driving on AIMS business are required to immediately report any change in their driver's license status.

### ***General Safety Requirements Owned and Non-Owned Vehicles:***

1. Drivers will obey all traffic laws and exhibit courtesy while driving on District business
2. Drivers will be responsible for reasonable vehicle inspection and maintenance to ensure that vehicles used on AIMS business are in safe working order.

3. Drivers will not utilize cell phones while driving.
4. **Under no circumstances** will passengers be transported in an area not designed for passenger use.
5. **Under no circumstances** will drivers transport more persons than the rated vehicle capacity and/or the number of working seat belts, whichever is less. The driver and each and every passenger will be provided and utilize a properly installed seat belt device which meets or exceeds federal and state seat belt safety requirements.
6. Drivers will not allow other persons to drive without prior authorization from their Site or Division Head, or the President of the Board of Education.
7. While on approved AIMS business or using a AIMS Owned vehicle, drivers will not transport any passengers at any time without prior authorization from their supervisor or Head.

### ***Alcohol and Drug Use***

The operation of any vehicle on District business while under the influence of any alcohol or drug that may inhibit the operator's ability is strictly prohibited. No District Owned vehicle may ever be used if the operator has consumed any alcohol in the preceding 12 hours. All positions which require the operation of District Owned vehicles and which are regulated by Federal Department of Transportation and state laws and regulations, shall be subject to regular, probable cause, and random drug testing in accordance with those rules and regulations.

### ***Sleep and Rest***

Travel to and from certain sports, musical or other interscholastic events may require long distance driving. At no time shall employees or other persons driving on approved AIMS business drive longer than eight (8) hours in a 24-hour period. Drivers are encouraged to take 15-minute breaks from driving once every two hours.

### ***District Owned Vehicles***

AIMS Owned vehicles may only be operated by District employees or members of the Board of Education on authorized AIMS business. Prior to operating an AIMS Owned vehicle, the employee or Board member must submit authorization to Business Services for a California Department of Motor Vehicles record check, have a satisfactory driving record determined, and obtain a AIMS Vehicle Operation Permit. No AIMS leader shall permit the operation of an AIMS Owned vehicle without the employee or Board member possessing a satisfactory District Vehicle Operation Permit. DMV record checks will be requested annually in January by Human Resources for every employee or Board member with an AIMS Vehicle Operation Permit.

AIMS Owned vehicles may not be used for personal errands or personal business (e.g., going to the bank, visit relatives, etc.) Employees or Board members who are involved in an accident while engaged in anything other than authorized AIMS business will not be covered by the AIMS insurance and will bear sole liability for any damages or injuries incurred as a result of their unauthorized use. Unauthorized use

or negligent or wrongful acts or omissions while operating a AIMS Owned vehicle is grounds for discipline, up to and including termination.

***Employees or Board members assigned an AIMS vehicle shall be responsible to:***

1. Maintain the vehicle in a neat and clean condition.
2. Ensure that any equipment and tools are properly loaded and secured to minimize the likelihood of loads shifting and/or creating a hazard during transport.
3. Make reasonable inspections of the vehicle to insure the vehicle is in safe working order.
4. Schedule and adhere to routine maintenance and servicing of the vehicle.
5. Secure and lock the vehicle whenever away from it.
6. Not leave valuables in plain sight which would encourage a criminal to break and enter the vehicle.
7. Report any vehicle damage in writing immediately to supervisor.

***Home Garaged Vehicles***

AIMS Owned vehicles shall not be used on a 24-hour basis, nor operated and garaged from the residence of any AIMS employee without the permission of the Supervisor or Head and the Superintendent.

***Criteria for Home Garaging:***

1. The employee's job requires vehicle home assignment because the employee is subject to 24-hour emergency call out on AIMS business. Upon completion of the rotational duty assignment, the vehicle shall return to AIMS garaging; or



2. Superintendent. The high frequency of constant use by these individuals in their official capacity permits an AIMS Owned vehicle be at their constant disposal; or

3. An employee or Board member who is proceeding out of the area on a School related trip, and it is most advantageous to proceed directly from their residence, may take a vehicle home on a temporary basis (over one night or the weekend).

### ***Safeguarding District Owned Vehicle***

Employees or Board members who are permitted to take an AIMS vehicle home will adhere to the following requirements, in addition to the General Safety Requirements and responsibilities regarding AIMS Owned vehicles set out above:

1. An AIMS Owned vehicle which is home garaged shall be parked in the employee or Board member's garage, driveway or parking spot at all times while at the residence;

2. No person shall consume or be under the influence of any alcoholic beverage or any drug, which would impair their driving ability or use any tobacco product while in a District Owned vehicle.

### ***Non-Owned Vehicles***

A Non-Owned vehicle is one that is not owned by AIMS. It is most commonly a privately owned, leased or rented vehicle of an employee, Board member, consultant, parent or volunteer.

### ***Operation of Non-owned Vehicle on AIMS Business***

Non-Owned vehicles may only be used on AIMS business if their use is approved by the Superintendent or the Division Head. Use may only be approved if the vehicle owner and driver demonstrate proof of liability insurance and demonstrate that they possess a valid California driver's license.

### ***Insurance for Non-Owned Vehicles***

Insurance coverage must meet or exceed a minimum amount required by law. A copy of the applicable personal automobile insurance policy Declaration Page showing named insured, vehicle description, policy number and policy limits shall be provided to the Site Administrator or Department Head in advance of the vehicle's use. Updated copies shall be provided every January.

Employees and their insurers are responsible for any damage or injuries that result from the negligent or wrongful act or omission in the operation of a Non-District owned vehicle on AIMS business, with the exception of work-related injuries to employee(s) which qualify for workers' compensation benefits to the extent permitted by law. If use of an employee's private, rented or leased vehicle is approved and damage or injuries result during the approved use, it is understood that any available AIMS insurance coverage will come into force if and only if vehicle owner, renter and/or lessee's insurance is exhausted. AIMS liability coverage is available only in instances where a AIMS employee is performing approved AIMS business directly connected with their assignment. No AIMS coverage is available for damage or injuries resulting during non-approved use.

If an employee is traveling on a AIMS approved trip, and requires the use of a rental vehicle, the employee shall purchase and be reimbursed for the maximum insurance coverage available through the rental company. Employees and their insurers are responsible for injuries or damages that result from the negligent or wrongful act or omission in the operation of a rental vehicle, unless the laws of the state in which the vehicle is operated serve to change that rule. (See also Policy XXXXX, Conference Attendance and Business Travel).

Regular or incidental use of employee owned or leased vehicle on AIMS business shall be reimbursed to the employee at the District adopted mileage rate (see Administrative Bulletin 8033, Transportation Reimbursement for Employees).

Non-employees and their insurers shall be responsible for injuries or damage incurred as a result of the negligent or wrongful act or omission in the operation of Non-Owned vehicles while on AIMS business. American Indian Model Schools provides no liability coverage whatsoever for the vehicle operator, passengers or others.

### ***Transportation of Children on District Related Business***

1. No child shall be transported on AIMS related business unless the driver demonstrates that they possess a valid California Driver's License, and has current liability Insurance if transport is in a Non-AIMS Owned vehicle;

2. No child shall be transported in any vehicle area not designed for passenger use;
3. Under no circumstances shall more children and adults occupy a vehicle than its rated passenger capacity or working seat belts; the driver and each and every passenger will be provided and utilize a properly installed seat belt device which meets or exceeds federal and state seat belt safety requirements.
4. No driver may transport children (other than their own children) on AIMS related business in a privately-owned vehicle without the appropriate registration and approval of the children's Site Administrator (See Declaration of Driver). No driver shall transport children on AIMS related business if that driver has consumed any alcoholic beverage or taken any drug that would inhibit the operator's driving ability in the preceding 12 hours.
5. In no event shall a site administrator approve the transport of a minor without the consent of their parent or legal guardian.

***AIMS Insurance Coverage Limited to Employees and Board members***

AIMS recognizes that it may at times be desirable for persons not employed by the AIMS to voluntarily transport children to school or AIMS sponsored activities. In such instances, the AIMS provide no insurance coverage whatsoever for the vehicle operator, passengers or others.

***Satisfactory Driving Record Defined***

Driving record shall be established based upon information from the California Department of Motor Vehicles (DMV) and records of the District.

The following shall be the definition of a Satisfactory Driving Record:

\* No more than 4 points shall be allowed over a three-year period, and no more than 5 points shall be allowed over a 5-year period.

Points are charged as follows:

\* One Point per Moving violation, i.e.; speeding, traffic light, etc.

\* Two Points per Accident (all accidents are chargeable subject to review and determination by District Accident Review Committee).

\* Four Points per Driving Under the Influence (DUI), Reckless Driving, Display of Speed, Open Container, etc.

### ***Accident Reporting***

All accidents that occur while on District business, whether in a District Owned Vehicle, or a Non-District Owned vehicle, shall be immediately reported. Following contact to the police or any emergency personnel, drivers are required to immediately telephone their supervisor or department head to report the accident. A written report must also be made to the Site or Department Head and to Risk Management on a Vehicle Accident Report Form (See Exhibit \_\_). If there are any injuries, an Injury to Pupil or Non-Employee or a Report of Injury to Employee form must also be completed and submitted to the Site or Department Head and to Risk Management. Written reports shall be filed the same day whenever possible, or by the next work day after the accident. Risk Management shall immediately forward said report to the appropriate District claims administrator(s). Any accident involving a fatality or serious injury must be reported immediately (within six hours of accident) to the Site or Department Head, Risk Management and the Legal Department.

See also Guidelines for Vehicle Accidents

***DMV Financial Responsibility Reports***

Every employee, Board member or other person driving on approved District business shall be responsible for filing a completed copy of a DMV Financial Responsibility Accident Report with Risk Management within 10 days of any accident. (See Exhibit D)

AMERICAN INDIAN MODEL SCHOOLS  
EMPLOYMENT RECORD CHECK  
AGREEMENT AND AUTHORIZATION

APPLICANT: \_\_\_\_\_

Please Print      Last                      First                      Middle Initial

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

CALIFORNIA DRIVERS LICENSE NUMBER

\_\_\_\_\_

CLASS LICENSE ( I, II, III, Special Endorsements):\_\_\_\_\_

DATE OF BIRTH: \_\_\_\_\_ SSN: \_\_\_\_\_ - \_\_\_\_ - \_\_\_\_\_

POSITION:\_\_\_\_\_

DEPARTMENT:

\_\_\_\_\_ LOCATION \_\_\_\_\_

I hereby authorize the American Indian to obtain now and from time to time the future, my drivers license driving records as on file with the California Dept. of Motor Vehicles.

I understand that the position that I am an applicant for, and/or holding, requires me to drive on District business. I further understand that my employment is contingent upon possession of a Satisfactory Driving Record. For definition of Satisfactory Driving Record, see District Administrative Bulletin, Vehicle Use.

I understand and agree that use of any alcohol within the preceding 12 hours or any drug which may impair my driving ability while operating a District owned vehicle, or any other vehicle on District business, is strictly prohibited. Accordingly, I agree to Pre-Placement Physical Drug and Alcohol Testing, as well as Probable Cause and Random Drug and Alcohol Testing.

I agree that a facsimile or photocopy of the original of this document shall serve as an original.

I have read and understand the above and agree and authorize it.

Signed:\_\_\_\_\_ Date:\_\_\_\_\_



Dept. \_\_\_\_\_ Director Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Asst. Supt./Supt. Authorization For Home Garaging: Yes \_\_\_\_\_ No \_\_\_\_\_

Division: \_\_\_\_\_ Auth. Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Permit Authorization (Risk Management Completes)

Permit Number: \_\_\_\_\_ Permit Date: \_\_\_\_\_

Permit Expires: \_\_\_\_\_

Certifying Risk Management Official:

Print/Type: \_\_\_\_\_ Title: \_\_\_\_\_

Authorized Signature: \_\_\_\_\_

EXHIBIT B

AMERICAN INDIAN MODEL SCHOOLS

DEPT. OF RISK MANAGEMENT

VEHICLE ACCIDENT REPORT

\*Submit to Operations / Insurance company within One day, (6 hrs if injury)

Name of Employee/District Driver: \_\_\_\_\_ Cal DL# \_\_\_\_\_

School or Site: \_\_\_\_\_ Position) \_\_\_\_\_ Name of Manager \_\_\_\_\_

Driver Res. Address: \_\_\_\_\_ Date of Birth \_\_\_\_\_

City: \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Driver Telephone: Residence: (\_\_\_\_) \_\_\_\_\_ Business (\_\_\_\_) \_\_\_\_\_

Date Accident: \_\_\_\_\_ Time Accident: \_\_\_\_\_ AM PM

WHERE did accident occur? Street you (VEH. A) were on \_\_\_\_\_ Direction \_\_\_\_\_



Nearest Intersection /Cross Street: \_\_\_\_\_ City \_\_\_\_\_

What were you driving (VEH A)? Year \_\_\_\_\_ Make \_\_\_\_\_ Model \_\_\_\_\_ Lic Plate \_\_\_\_\_

Registered Owner of your vehicle VEH A): \_\_\_\_\_

Address: \_\_\_\_\_

Where was Vehicle A damaged? Front \_\_\_ Left \_\_\_ Right \_\_\_ Rear \_\_\_ Other \_\_\_\_\_

Did you drive VEH away or was it towed? \_\_\_\_\_ Where is it now? \_\_\_\_\_

Police Depart. Investigating: \_\_\_\_\_ Name of Officer: \_\_\_\_\_ PR# \_\_\_\_\_

Was anyone cited? \_\_\_\_\_ Who \_\_\_\_\_ For What? \_\_\_\_\_

THE OTHER PERSON (B) VEHICLE(B): Driver? \_\_\_ Ped? \_\_\_ Unoccupied Vehicle? \_\_\_

Name of Driver/Ped.(B): \_\_\_\_\_ Tel. #(\_\_\_\_) \_\_\_\_\_ Cal DL # \_\_\_\_\_

VEH B Driver Address: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Other Vehicle/Property(B) Year \_\_\_\_\_ Make \_\_\_\_\_ Color \_\_\_\_\_ Describe \_\_\_\_\_

Where was other vehicle(B) damaged? \_\_\_\_\_ Serious or minor damage? \_\_\_\_\_

If other than vehicle, describe what was damaged/nature of damage \_\_\_\_\_

Address of other Property(B):

Owner of other Property(B): \_\_\_\_\_ Telephone (\_\_\_\_) \_\_\_\_\_

Describe what happened: You (A) were N, S, E, W bound on \_\_\_\_\_ Speed Limit \_\_\_\_\_

In the # \_\_\_\_\_ Lane. The other party(B) was: \_\_\_\_\_ Parked? \_\_\_\_\_

What happened: \_\_\_\_\_

\_\_\_\_\_ My speed before accident: \_\_\_\_\_

What did you say to other party? \_\_\_\_\_

What drew your attention to the other party? \_\_\_\_\_

Were your headlights on? \_\_\_ Was other party headlights on? \_\_\_\_\_

Traffic devices Present? Traffic Signal? \_\_\_ Color when you entered I/S \_\_\_ Stop Sign? \_\_\_\_\_

WEATHER: Clear \_\_\_ Rainy \_\_\_ Fog \_\_\_ Dry \_\_\_ Sunny/Night \_\_\_\_\_ Sun in eyes? \_\_\_\_\_

WAS ANYBODY INJURED? \_\_\_\_\_ WHO?

Name: \_\_\_\_\_ What vehicle: \_\_\_\_\_ Nature of injury: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State \_\_\_\_\_ Telephone(\_\_\_\_) \_\_\_\_\_

Name: \_\_\_\_\_ What Vehicle: \_\_\_\_\_ Nature of Injury: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State \_\_\_\_\_ Telephone (\_\_\_\_) \_\_\_\_\_

Name: \_\_\_\_\_ What vehicle: \_\_\_\_\_ Nature of injury: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State \_\_\_\_\_ Telephone (\_\_\_\_) \_\_\_\_\_

Any transported by Ambulance Co./Hospital: \_\_\_\_\_

\_\_\_\_\_

WITNESSES:

Name: \_\_\_\_\_ Telephone(\_\_\_\_) \_\_\_\_\_ Favorable? Y\_\_ N\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_

Name: \_\_\_\_\_ Telephone(\_\_\_\_) \_\_\_\_\_ Favorable? Y\_\_ N\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Manager Signature: \_\_\_\_\_ Date \_\_\_\_\_

Cal DMV SRI form submitted to Risk Management? \_\_\_\_\_ Date: \_\_\_\_\_