AIMS K-12 College Prep Charter District

Governance Committee Meeting

Date and Time

Tuesday April 23, 2024 at 4:30 PM PDT

Location

171 12th St. Oakland, CA 94607

Members of the public, staff, and faculty may join virtually at:

Join Zoom Meeting
https://us02web.zoom.us/j/3311128694?pwd=cVFNbEJtWm40aDZpUlp5WFVxRGVqUT09
Meeting ID: 331 112 8694
Passcode: 0EjSCZ

One tap mobile
+17193594580,,3311128694#,,,,*076927# US
+19294362866,,3311128694#,,,,*076927# US (New York)

Dial by your location
• +1 719 359 4580 US

Meeting ID: 331 112 8694
Passcode: 076927
Find your local number: https://us02web.zoom.us/u/kmHNwDhDX

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.

Agenda

		Purpose	Presenter	Time
I.	**Opening Items**			**4:30 PM**
	Opening Items			
A.	Call the Meeting to Order			1 m
B.	Record Attendance and Guests		Barbara Pemberton	2 m
C.	Adoption of the Agenda	Vote	Jaime Colly	1 m
D.	Public Comments on Agenda Items	Discuss	Chris Edington	10 m
	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 to or take action in response to public comment, except that the Board may ask clarifying questions or direct staff. **Comments are limited to two (2) minutes per person, and the total time allotted for all public comment will not exceed thirty (30) minutes (10 minutes for agenda items, 10 minutes for non-agenda items, and 10 minutes for closed session items).**			
E.	Public Comments on Non-Agenda Items	Discuss	Chris Edington	10 m
	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 to or take action in response to public comment, except that the Board may ask clarifying questions or direct staff. **Comments are limited to two (2) minutes per person, and the total time allotted for all public comment will not exceed thirty (30) minutes (10 minutes for agenda items, 10 minutes for non-agenda items, and 10 minutes for closed session items.**			
II.	**Approve Committee Meeting Minutes**			**4:54 PM**

		Purpose	Presenter	Time
A.	Governance Committee Meeting: March 26, 2024	Approve Minutes		5 m

III. Action Items — 4:59 PM

A.	The Board will consider approving Job Descriptions Compliance Manager Ombudsperson	Vote	Tiffany Tung	2 m
B.	The Board will consider approving Board Policies Title IX Harassment, Intimidation, Discrimination and Bulllying Universal Complaint	Vote	Eric Haar	3 m
C.	2024-2025 School Calendar	Vote	Marisol Magana	2 m

IV. Closed Session — 5:06 PM

A.	Public Comment on Closed Session Item	Discuss	Chris Edington	10 m

Public comment on closed session 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 to or take action in response to public comment, except that the Board may ask clarifying questions or direct staff. **Comments are limited to two (2) minutes per person, and the total time allotted for all public comment will not exceed thirty (30) minutes (10 minutes for agenda items, 10 minutes for non-agenda items, and 10 minutes for closed session items). Please enter all questions via Zoom chat feature.**

B. Closed Session — 30 m

Closed Session Items:

1. Pursuant to the Brown Act (Government Code Section 54957.6), the following items will be discussed in closed session:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: Director of Schools

		Purpose	Presenter	Time
	PUBLIC EMPLOYEE PERFORMANCE EVALUATION Title: Dean of Students			
	PUBLIC EMPLOYEE PERFORMANCE EVALUATION Title: Head of Academics			
C.	Report from Closed Session - Board President, Mr. Chris Edington	FYI		2 m

V. Closing Items — 5:48 PM

A.	Adjourn Meeting	Vote		
B.	NOTICES	FYI	Barbara Pemberton	

The next regular meeting of the Board of Directors is scheduled to be held on the third Tuesday of the month, May 21, 2024, at 4:30 pm. AIMS does not discriminate on the basis of disability in the admission or access to, or treatment or employment in, it's 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.

I, Barbara Pemberton, hereby certify that I posted this agenda on the AIMS website at www.aimsk12.org, on April 20, 2024, before 4:30 PM.
Certification of Posting

Coversheet

Governance Committee Meeting: March 26, 2024

Section:	II. Approve Committee Meeting Minutes
Item:	A. Governance Committee Meeting: March 26, 2024
Purpose:	Approve Minutes
Submitted by:	
Related Material:	Minutes for Governance Committee Meeting on March 26, 2024

APPROVED

AIMS K-12 College Prep Charter District

Minutes

Governance Committee Meeting

Date and Time
Tuesday March 26, 2024 at 4:30 PM

Location
171 12th Street, Oakland, CA 94607

Members of the public, staff, and faculty may join virtually at:
Join Zoom Meeting
https://us02web.zoom.us/j/3311128694?pwd=cVFNbEJtWm40aDZpUlp5WFVxRGVqUT09
Meeting ID: 331 112 8694
Passcode: 0EjSCZ

One tap mobile
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+19294362866,,3311128694#,,,,*076927# US (New York)

Dial by your location
• +1 719 359 4580 US

Meeting ID: 331 112 8694
Passcode: 076927
Find your local number: https://us02web.zoom.us/u/kmHNwDhDX

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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.

Committee Members Present
J. Colly, K. Smith, M. Woods-Cadiz, T. Tung

Committee Members Absent
C. Edington

Guests Present
B. Pemberton

I. Opening Items

A. Call the Meeting to Order

J. Colly called a meeting of the Governance Committee of AIMS K-12 College Prep Charter District to order on Tuesday Mar 26, 2024 at 4:35 PM.

B. Record Attendance and Guests

C. Adoption of the Agenda

J. Colly made a motion to approve.
M. Woods-Cadiz seconded the motion.
The committee **VOTED** to approve the motion.

D. Public Comments on Agenda Items

No comment

E. Public Comments on Non-Agenda Items

No comment

II. Action Items

A. The Board will consider approving Job Descriptions

J. Colly made a motion to approve.
M. Woods-Cadiz seconded the motion.
The committee **VOTED** to approve the motion.

B.

Verification of Employment - Andrew Johnson

Item withdrawn, no action taken

III. Closed Session

A. Public Comment on Closed Session Item

No comment

B. Closed Session

Board returned from closed session at 4:56 pm with nothing to repport.

IV. Closing Items

A. Adjourn Meeting

There being no further business to be transacted, and upon motion duly made, seconded and approved, the meeting was adjourned at 4:57 PM.

Respectfully Submitted,
J. Colly

B. NOTICES

None

Coversheet

The Board will consider approving Job Descriptions

Section:	III. Action Items
Item:	A. The Board will consider approving Job Descriptions
Purpose:	Vote
Submitted by:	
Related Material:	AIMS Compliance Board Cover Letter.pdf Compliance Manager.docx.pdf Ombudsperson Board Cover Letter.pdf OMBUDSPERSON Job Description.docx.pdf

AIMS K-12 College Prep Charter District
Board Submission Cover Letter

Submitter Information

Full Name: Tiffany Tung
Position/Title: Director of Program Compliance
Department: Department of Program Compliance
Date of Submission (MM/DD/YYYY): 4/8/2024

Item Details

Title of Item: Compliance Manager Job Description
Is this item a: ☑ New Submission
☐ Renewal
If Renewal: Please summarize any changes from the previous submission:

Approvals

Has this item been reviewed by:

- ☐ Superintendent
- ☐ Chief Business Officer (CBO) (If budget changes)
- ☐ Director of Compliance (If plan changes)
- ☑ Neither

Committee Review

Has this item been through the appropriate committee review process?

☐ Yes ☑ No

If yes: Please specify which committee(s) and provide minutes or approval documentation:
Will need to be reviewed by governance committee

If no: Explain why:
Board meeting is future date 4/16/2024

Deadline Information

Is there a submission deadline for this item?

☐ Yes ☑ No

If yes: Please indicate the deadline date (MM/DD/YYYY):

Financial Information (if applicable):

Total Cost: $ N/A

Is this expenditure included in the annual budget?

☑ Yes ☐ No

Please specify in which plan this expense is indicated:

☐ SPSA ☐ LCAP ☐ Other:

AIMS K-12 College Prep Charter District

Title: Compliance Manager

Category: Classified

Work Year: **12 Months**

Employment Type: **Full Time**

Starting Range: **$98,031.60 - $104,047.17**

FLSA: Exempt

Supervisor: Director of Program Compliance

JOB GOALS: Under the direction of the Director of Program Compliance ensures that the district follows legislative and regulatory requirements. Coordinates and assists with reviewing, monitoring and maintaining compliance with district policies and procedures. Oversee control systems and workflows to prevent and deal with violations of legal guidelines and internal policies.

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REPRESENTATIVE DUTIES: (Incumbents may perform any combination of the essential functions shown below. This position description is not intended to be an exhaustive list of all duties, knowledge, or abilities associated with this classification, but is intended to reflect the principal job elements accurately.)

ESSENTIAL JOB DUTIES:

- Provides administrative oversight with communication regarding workflow systems that align with compliance requirements.
- Evaluating the efficiency of controls and improving them consistently.
- Oversee Time and Accounting/Personnel activity report/multi funded staffing certifications.
- Pull annual Time and Accounting reports for monitoring and tracking purposes.
- Assist with the coordination and communication of categorical/restricted funding spending timelines and departmental objectives.
- Ensures compliance board policies and procedures are implemented with internal controls
- Liaison with the department of Health and School Services assisting with coordination of documentation alignment with rules and regulations.
- Provide guidance and processing, regarding proper use of funds, processing of purchase order tracking system expenditures and supporting documentation.
- Assisting budget development in aligning allowable expenditures. Provides feedback on allowable/non allowable expenditures for school site plans.
- Provides oversight and assists with training for supporting documentation and internal controls required for state,federal and local school site plan and board approved policies/procedures.

- Participates in meetings, training and seminars that assist with the purpose of gathering information related to compliance of local, state and federal guidelines.
- Oversee compensation alignment and compliant background check workflow for the Compliance Analyst.
- Reviews Job Description formats to ensure alignment with state, federal and local regulatory requirements.
- Manage employment tools that align with compliant tracking and transferring information into the HRIS system.
- Initiates program improvement strategies and corrective actions to support compliance workflows.
- Performs other duties as assigned

QUALIFICATIONS:

- Bachelor's degree from an accredited institution
- Three years of relevant school operations experience

KNOWLEDGE AND ABILITIES:

- Demonstrated commitment to pursuing transparency, equity and accountability
- Experience with school based operational roles
- Expertise in federal, state and local compliance regulations
- Ability to multi-task and work in fast moving environments
- Strong ability to analyze various processes and procedures
- Strong understanding of federal, state and local school site plans

PHYSICAL ACTIVITY REQUIREMENTS:

Minimum Work Position (Percentage of Time):
Standing: 30 Walking: 20 Sitting: 50
Minimum Body Movement (Frequency):
None (0) Limited (1) Occasional (2) Frequent (3) Very Frequent (4)
Lifting (lbs.): 15-18 Lifting: 2 Bending: 2
Pushing and/or Pulling Loads: 1 Reaching Overhead: 1 Kneeling or Squatting: 1
Climbing Ladders: 0 Climbing Stairs: 2

NON-DISCRIMINATION: AIMS College Prep Charter District does not discriminate on the basis of race, color, religion, gender, marital status, ancestry, political affiliation, age, sexual orientation, disability, medical condition, national origin, or mental or physical handicap in any of its policies or procedures related to admissions, employment, educational services, programs or activities.

Effective:
Board Approved: Pending Board Approval

AIMS K-12 College Prep Charter District
Board Submission Cover Letter

Submitter Information

Full Name: Tiffany Tung
Position/Title: Director of Program Compliance
Department: Department of Program Compliance
Date of Submission (MM/DD/YYYY): 4/8/2024

Item Details

Title of Item: Ombudsperson Job Description
Is this item a: ☑ New Submission
☐ Renewal
If Renewal: Please summarize any changes from the previous submission:
Annual job description audit

Approvals

Has this item been reviewed by:

- ☐ Superintendent
- ☐ Chief Business Officer (CBO) (If budget changes)
- ☐ Director of Compliance (If plan changes)
- ☑ Neither

Committee Review

Has this item been through the appropriate committee review process?

☐ Yes ☑ No

If yes: Please specify which committee(s) and provide minutes or approval documentation:
Will need to be reviewed by governance committee

If no: Explain why:
Board meeting is future date 4/16/2024

Deadline Information

Is there a submission deadline for this item?

☐ Yes ☑ No

If yes: Please indicate the deadline date (MM/DD/YYYY):

Financial Information (if applicable):

Total Cost: $ N/A

Is this expenditure included in the annual budget?

☑ Yes ☐ No

Please specify in which plan this expense is indicated:

☐ SPSA ☐ LCAP ☐ Other:

AIMS K-12 College Prep Charter District

Title: OMBUDSPERSON

Category: Classified Management

Work Year: Full Time

Employment Type: Classified Management

Starting Range: $90,770-$103,637.32

FLSA: Exempt

Supervisor: Superintendent

JOB GOALS: Position Summary The ombudsperson is a designated resolution practitioner whose major function is to provide confidential and informal assistance to constituents of the AIMS community, which includes students, staff, faculty, and/or administrator. Serving as a designated 3rd party, the ombudsperson acts as a source of information and referral, aids in answering individual's questions, and assists in the resolution of concerns and critical situations. In considering any given instance or concern, the point of view of all parties that might be involved is taken into account. This office manages the AIMS Uniform Complaint Procedure process.

REPRESENTATIVE DUTIES: (Incumbents may perform any combination of the essential functions shown below. This position description is not intended to be an exhaustive list of all duties, knowledge, or abilities associated with this classification, but is intended to reflect the principal job elements accurately.)

ESSENTIAL JOB DUTIES:

- Reporting The ombudsperson function is independent of existing administrative structures and reports directly to the Superintendent of Schools. The ombudsperson will prepare a periodic report to the Superintendent of schools.

- Based on aggregated data, this report discusses trends in the reporting of issues or concerns, identifies patterns or problem areas in existing policies and practices, may recommend revisions and improvements, and may assess the climate of AIMS. Critical Skills and Characteristics Communication and Problem-Solving Skills.

- An ombudsperson must have outstanding communication skills and be able to communicate effectively with individuals at all levels of the organization, as well as, with people of all cultures.

- It is imperative that the ombudsperson has excellent problem-solving skills and be able to gather information, analyze it and, as necessary, help the inquirer develop appropriate options and actions. Decision-Making/Strategic Thinking Skills.

- An ombudsperson must be aware of how all decisions might impact the inquirer, as well as other stakeholders and AIMS. An ombudsperson must know how to proceed with issues, and help the inquirer assess who should be involved and at what stage.

- Conflict Resolution Skills. An essential element of the ombudsperson's role is that of facilitating the resolution of the conflict between parties. It is important that the ombudsperson have a thorough understanding of what leads to conflict, the nature of conflict, and methods of resolution.

- Organizational Knowledge and Networking Skills. An ombudsperson must be knowledgeable about the AIMS, its structure, culture, policies, and practices. The ombudsperson must have excellent networking skills, understand and participate in collaboration with others, and be able to establish and maintain broad contacts throughout the organization.

- Sensitivity to Diversity Issues. The ombudsperson must be sensitive to dealing with individuals from a wide variety of backgrounds and cultures. The ombudsperson must be open, and objective, and must seek to understand issues from multiple perspectives. The ombudsperson should be innovative in developing options that are responsive to differing needs. Composure and Presentation Skills.

- An ombudsperson should maintain a professional demeanor, should have strong presentation skills, and should be able to organize and communicate information to groups of varying size and hierarchical levels in the organization.

- Integrity. The ombudsperson must keep information confidential and an ombudsperson should not be risk-averse and should understand that this position may, on occasion, challenge even the highest levels of the administration in an effort to foster fair and just practices.

- Accountabilities Dispute Resolution, Consultation, and Referral Provide conflict resolution services to members of the AIMS community who are aggrieved or concerned about an issue and exercise good judgment.

- Assist inquirers in obtaining and providing relevant information regarding AIMS policies and procedures. Assist inquirers in clarifying issues and generating options for resolution. Facilitate the inquirer's assessment of the pros and cons of possible options. Encourage flexible administrative practices to maximize the institution's ability to meet the needs of all members of the campus community equitability.

- Follow up with inquirers as appropriate to determine outcome and further need of assistance. Policy Analysis and Feedback Serve as a resource for administrators in formulating or modifying policy and procedures, raising issues that might surface as a result of a gap between the stated goals of AIMS and actual practice.

- Provide early warning of new areas of organizational concern, upward feedback, critical analysis of systemic needs for improvement, and make systems change recommendations.

- College Community Outreach and Education. Design and conduct training programs for AIMS leadership in dispute/conflict resolution, negotiation skills and theory, civility, and related topics.

QUALIFICATIONS:

- Bachelor's degree, Advanced degree preferred.
- 3-5 years' minimum experience in Human Resources, Employee Relations, or other job-related areas of business,including staff and process oversight.
- Experience working with people of diverse backgrounds and cultures.
- Relevant dispute resolution training and/or ombudsperson experience is preferred.

KNOWLEDGE AND ABILITIES:

- Plan, organize and coordinate activities with others to meet the needs of students in areas related to client advocacy, crisis support, case management, and referral sources.
- Develop constructive solutions to problems and prepare appropriate resources. Coordinate auxiliary services within the school or department.
- Communicate, understand and follow both oral and written directions. Prepare, compile, verify and maintain records, data and reports.
- Analyze situations accurately and adopt an effective course of action.
- Prepare and deliver oral presentations and in-services. Interpret, comprehend, apply and explain rules, regulations, policies and procedures.
- Plan and organize work to meet schedules and timelines.
- Work collaboratively and build positive relationships with a diverse range of students, staff and community.
- Demonstrate loyalty and high ethical standards.
- Learn new or updated computer systems and programs to apply to current work. Provide direction and support to site leaders, District leaders, families and staff in support of district goals and initiatives.
- Negotiate skillfully in difficult situations and create solutions to promote compromise. Think outside the box and develop new methods or solutions inspiring others to reach a common goal
- Communicate using patience and courtesy in a manner that reflects positively on the organization.
- Actively participate in meeting District goals and outcomes
- Apply integrity and trust in all situations.

PHYSICAL ACTIVITY REQUIREMENTS:

Minimum Work Position (Percentage of Time):
Standing: 30 Walking: 20 Sitting: 50
Minimum Body Movement (Frequency):
None (0) Limited (1) Occasional (2) Frequent (3) Very Frequent (4)
Lifting (lbs.): 15-18 Lifting: 2 Bending: 2
Pushing and/or Pulling Loads: 1 Reaching Overhead: 1 Kneeling or Squatting: 1
Climbing Ladders: 0 Climbing Stairs: 2

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Effective:
Board Approved: Pending Board Approval

Coversheet

The Board will consider approving Board Policies

Section: III. Action Items
Item: B. The Board will consider approving Board Policies
Purpose: Vote
Submitted by:
Related Material:
AIMS Board Submission Cover Letter.pdf
Title IX Harassment Intimidation Discrim. and Bullying Policy (4869-6376-8758.v1).docx.pdf
AIMS UCP Board Submission Cover Letter.pdf
AIMS_Charter_Schools_UCP procedures and form (4872-3934-4310.v1).docx.pdf

AIMS K-12 College Prep Charter District
Board Submission Cover Letter

Submitter Information

Full Name: Eric Haar
Position/Title: Ombudsman
Department: Ombudsman's Office
Date of Submission (MM/DD/YYYY): 4/16/2024

Item Details

Title of Item: Title IX
Is this item a: ☑ New Submission
☐ Renewal
If Renewal: Please summarize any changes from the previous submission:

Approvals

Has this item been reviewed by:

- ☐ Superintendent
- ☐ Chief Business Officer (CBO) (If budget changes)
- ☐ Director of Compliance (If plan changes)
- ☑ Neither

Committee Review

Has this item been through the appropriate committee review process?

☐ Yes ☑ No

If yes: Please specify which committee(s) and provide minutes or approval documentation:

If no: Explain why:

Deadline Information

Is there a submission deadline for this item?

☐ Yes ☑ No

If yes: Please indicate the deadline date (MM/DD/YYYY):

Financial Information (if applicable):

Total Cost: $ N/A

Is this expenditure included in the annual budget?

☐ Yes ☑ No

Please specify in which plan this expense is indicated:

☐ SPSA ☐ LCAP ☐ Other:

AIMS K-12 COLLEGE PREP CHARTER DISTRICT
BOARD OF DIRECTORS POLICY

BOARD POLICY #5001
ADOPTED [April 23, 2024]

POLICY TITLE: Title IX, Harassment, Intimidation, Discrimination, And Bullying Policy

Discrimination, sexual harassment, harassment, intimidation, and bullying are all disruptive behaviors, which interfere with students' ability to learn, negatively affect student engagement, diminish school safety, and contribute to a hostile school environment. As such, AIMS K-12 College Prep Charter District ("AIMS" or the "Charter School") prohibits any acts of discrimination, sexual harassment, harassment, intimidation, and bullying altogether. This policy is inclusive of instances that occur on any area of the school campus, at school-sponsored events and activities, regardless of location, through school-owned technology, and through other electronic means, and all acts of the Charter School's Board of Directors ("Board") in enacting policies and procedures that govern the Charter School.

As used in this policy, discrimination, sexual harassment, harassment, intimidation, and bullying are described as the intentional conduct, including verbal, physical, written communication or cyber-bullying, including cyber sexual bullying, based on the actual or perceived characteristics of mental or physical disability, sex (including pregnancy and related conditions, and parental status), sexual orientation, gender, gender identity, gender expression, immigration status, nationality (including national origin, country of origin, and citizenship), race or ethnicity (including ancestry, color, ethnic group identification, ethnic background, and traits historically associated with race, including, but not limited to, hair texture and protective hairstyles such as braids, locks, and twist), religion (including agnosticism and atheism), religious affiliation, medical condition, genetic information, marital status, age or association with a person or group with one or more of these actual or perceived characteristics or based on any other characteristic protected under applicable state or federal law or local ordinance. Hereafter, such actions are referred to as "misconduct prohibited by this Policy."

To the extent possible, the Charter School will make reasonable efforts to prevent students from being discriminated against, harassed, intimidated, and/or bullied, and will act to investigate, respond, address and report on such behaviors in a timely manner. AIMS school staff who witness acts of misconduct prohibited by this Policy will take immediate steps to intervene when safe to do so.

Moreover, the Charter School will not condone or tolerate misconduct prohibited by this Policy by any employee, independent contractor or other person with whom AIMS does business, or any other individual, student, or volunteer. This Policy applies to all employee, student, and volunteer actions and relationships, regardless of position or gender. AIMS will promptly and thoroughly investigate and respond to any complaint of misconduct prohibited by this Policy in

a manner that is not deliberately indifferent and will take appropriate corrective action, if warranted. AIMS complies with all applicable state and federal laws and regulations and local ordinances in its investigation of and response to reports of misconduct prohibited by this Policy.

Title IX, Harassment, Intimidation, Discrimination and Bullying Coordinator ("Coordinator"):

Eric Haar
Ombudsman
171 12th Street, Oakland, CA 94607
ombudsman@aimsk12.org
(510) 496-9949

Definitions

Prohibited Unlawful Harassment

- Verbal conduct such as epithets, derogatory jokes or comments or slurs.
- Physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with work or school because of sex, race or any other protected basis.
- Retaliation for reporting or threatening to report harassment.
- Deferential or preferential treatment based on any of the protected characteristics listed above.

Prohibited Unlawful Harassment under Title IX

Title IX (20 U.S.C. § 1681 *et seq.*; 34 C.F.R. Part 106) and California state law prohibit discrimination and harassment on the basis of sex. Under Title IX, "sexual harassment" means conduct on the basis of sex that satisfies one or more of the following:

- An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or
- "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

In accordance with Title IX and California law, discrimination and harassment on the basis of sex in education institutions, including in the education institution's admissions and employment practices, is prohibited. All persons, regardless of sex, are afforded equal rights and opportunities and freedom from unlawful discrimination and harassment in education programs or activities conducted by AIMS.

AIMS is committed to providing a work and educational environment free of sexual harassment and considers such harassment to be a major offense, which may result in disciplinary action. Inquiries about the application of Title IX and 34 C.F.R. Part 106 may be referred to the Coordinator, the Assistant Secretary for Civil Rights of the U.S. Department of Education, or both.

Sexual harassment consists of conduct on the basis of sex, including but not limited to unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct on the basis of sex, regardless of whether or not the conduct is motivated by sexual desire, when: (a) Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, education, academic status, or progress; (b) submission to, or rejection of, the conduct by the individual is used as the basis of employment, educational or academic decisions affecting the individual; (c) the conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment; and/or (d) submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

It is also unlawful to retaliate in any way against an individual who has articulated a good faith concern about sexual harassment against themselves or against another individual.

Sexual harassment may include, but is not limited to:

- Physical assaults of a sexual nature, such as:
    - Rape, sexual battery, molestation or attempts to commit these assaults.
    - Intentional physical conduct that is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another's body, or poking another's body.

- Unwanted sexual advances, propositions or other sexual comments, such as:
    - Sexually oriented gestures, notices, remarks, jokes, or comments about a person's sexuality or sexual experience.
    - Preferential treatment or promises of preferential treatment to an individual for submitting to sexual conduct, including soliciting or attempting to solicit any individual to engage in sexual activity for compensation or reward or deferential treatment for rejecting sexual conduct.
    - Subjecting or threats of subjecting a student or employee to unwelcome sexual attention or conduct or intentionally making the student's or employee's performance more difficult because of the student's or the employee's sex.

- Sexual or discriminatory displays or publications anywhere in the work or educational environment, such as:
    - Displaying pictures, cartoons, posters, calendars, graffiti, objections, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning or pornographic or bringing or possessing any such material to read, display or view in the work or educational environment.
    - Reading publicly or otherwise publicizing in the work or educational environment materials that are in any way sexually revealing, sexually suggestive, sexually demeaning or pornographic.
    - Displaying signs or other materials purporting to segregate an individual by sex in an area of the work or educational environment (other than restrooms or similar rooms).

The illustrations of harassment and sexual harassment above are not to be construed as an all-inclusive list of prohibited acts under this Policy.

Prohibited Bullying

Bullying is defined as any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act. Bullying includes one or more acts committed by a student or group of students that may constitute sexual harassment, hate violence, or creates an intimidating and/or hostile educational environment, directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

1. Placing a reasonable student [1] or students in fear of harm to that student's or those students' person or property.
2. Causing a reasonable student to experience a substantially detrimental effect on the student's physical or mental health.
3. Causing a reasonable student to experience a substantial interference with the student's academic performance.
4. Causing a reasonable student to experience a substantial interference with the student's ability to participate in or benefit from the services, activities, or privileges provided by AIMS.

Cyberbullying is an electronic act that includes the transmission of harassing communication, direct threats, or other harmful texts, sounds, video or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

[1] "Reasonable student" is defined as a student, including, but not limited to, an exceptional needs student, who exercises care, skill and judgment in conduct for a person of the student's age, or for a person of the student's age with the student's exceptional needs.

Electronic act means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

1. A message, text, sound, video, or image.
2. A post on a social network Internet Web site including, but not limited to:
    a. Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in the definition of "bullying," above.
    b. Creating a credible impersonation of another actual student for the purpose of having one or more of the effects listed in the definition of "bullying," above. "Credible impersonation" means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that another student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated.
    c. Creating a false profile for the purpose of having one or more of the effects listed in the definition of "bullying," above. "False profile" means a profile of a fictitious student or a profile using the likeness or attributes of an actual student other than the student who created the false profile.
3. An act of "Cyber sexual bullying" including, but not limited to:
    a. The dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a student to another student or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in definition of "bullying," above. A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
    b. "Cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
4. Notwithstanding the definitions of "bullying" and "electronic act" above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

Formal Complaint of Sexual Harassment means a written document filed and signed by a complainant who is participating in or attempting to participate in AIMS's education program or activity or signed by the Coordinator alleging sexual harassment against a respondent and requesting that AIMS investigate the allegation of sexual harassment. At the time of filing a formal complaint of sexual harassment, a complainant must be participating in or attempting to participate in AIMS's education program or activity.

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Respondent means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

Bullying and Cyberbullying Prevention Procedures

AIMS has adopted the following procedures for preventing acts of bullying, including cyberbullying.

1. **Cyberbullying Prevention Procedures**

   AIMS advises students:

   a. To never share passwords, personal data, or private photos online.
   b. To think about what they are doing carefully before posting and by emphasizing that comments cannot be retracted once they are posted.
   c. That personal information revealed on social media can be shared with anyone including parents, teachers, administrators, and potential employers. Students should never reveal information that would make them uncomfortable if the world had access to it.
   d. To consider how it would feel receiving such comments before making comments about others online.

   AIMS informs Charter School employees, students, and parents/guardians of AIMS's policies regarding the use of technology in and out of the classroom. AIMS encourages parents/guardians to discuss these policies with their children to ensure their children understand and comply with such policies.

2. **Education**

   AIMS employees cannot always be present when bullying incidents occur, so educating students about bullying is a key prevention technique to limit bullying from happening. AIMS advises students that hateful and/or demeaning behavior is inappropriate and unacceptable in our society and at AIMS and encourages students to practice compassion and respect each other.

   Charter School educates students to accept all student peers regardless of protected characteristics (including but not limited to actual or perceived sexual orientation, gender identification, physical or cognitive disabilities, race, ethnicity, religion, and immigration status) and about the negative impact of bullying other students based on protected characteristics.

   AIMS's bullying prevention education also discusses the differences between appropriate and inappropriate behaviors and includes sample situations to help students

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learn and practice appropriate behavior and to develop techniques and strategies to respond in a non-aggressive way to bullying-type behaviors. Students will also develop confidence and learn how to advocate for themselves and others, and when to go to an adult for help.

AIMS informs AIMS employees, students, and parents/guardians of this Policy and encourages parents/guardians to discuss this Policy with their children to ensure their children understand and comply with this Policy.

3. Professional Development

AIMS annually makes available the online training module developed by the California Department of Education pursuant Education Code section 32283.5(a) to its certificated employees and all other AIMS employees who have regular interaction with students.

AIMS informs certificated employees about the common signs that a student is a target of bullying including:

- Physical cuts or injuries
- Lost or broken personal items
- Fear of going to school/practice/games
- Loss of interest in school, activities, or friends
- Trouble sleeping or eating
- Anxious/sick/nervous behavior or distracted appearance
- Self-destructiveness or displays of odd behavior
- Decreased self-esteem

AIMS also informs certificated employees about the groups of students determined by AIMS, and available research, to be at elevated risk for bullying. These groups include but are not limited to:

- Students who are lesbian, gay, bisexual, transgender, or questioning youth ("LGBTQ") and those youth perceived as LGBTQ; and
- Students with physical or learning disabilities.

AIMS encourages its employees to demonstrate effective problem-solving, anger management, and self-confidence skills for AIMS's students.

<u>Grievance Procedures</u>

1. Scope of Grievance Procedures

AIMS will comply with its Uniform Complaint Procedures ("UCP") policy when investigating and responding to complaints alleging unlawful harassment, discrimination, intimidation or bullying against a protected group or on the basis of a person's association with a person or group with one or more of the protected characteristics set forth in the UCP that:

a. Are written and signed;
b. 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 discrimination, harassment, intimidation or bullying based on a protected characteristic, or by a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying; and
c. Submitted to the AIMS UCP Compliance Officer not later than six (6) months from the date the alleged unlawful discrimination, harassment, intimidation or bullying occurred, or the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation or bullying.

The following grievance procedures shall be utilized for reports of misconduct prohibited by this Policy that do not comply with the writing, timeline, or other formal filing requirements of a uniform complaint. For formal complaints of sexual harassment, AIMS will utilize the following grievance procedures in addition to its UCP when applicable.

2. Reporting

All staff are expected to provide appropriate supervision to enforce standards of conduct and, if they observe or become aware of misconduct prohibited by this Policy, to intervene when safe to do so, call for assistance, and report such incidents. The Board requires staff to follow the procedures in this policy for reporting alleged acts of misconduct prohibited by this Policy.

Any student who believes they have been subject to misconduct prohibited by this Policy or has witnessed such prohibited misconduct is encouraged to immediately report such misconduct to the Coordinator.

Complaints regarding such misconduct may also be made to the U.S. Department of Education, Office for Civil Rights. Civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders may also be available to complainants.

While submission of a written report is not required, the reporting party is encouraged to submit a written report to the Coordinator. AIMS will investigate and respond to all oral and written reports of misconduct prohibited by this Policy in a manner that is not deliberately indifferent. Reports may be made anonymously, but formal disciplinary action cannot be based solely on an anonymous report.

Students are expected to report all incidents of misconduct prohibited by this Policy or other verbal, or physical abuses. Any student who feels they are a target of such behavior should immediately contact a teacher, counselor, the Superintendent, Coordinator, a staff person or a family member so that the student can get assistance in resolving the issue in a manner that is consistent with this Policy.

AIMS acknowledges and respects every individual's right to privacy. All reports shall be investigated in a manner that protects the confidentiality of the parties and the integrity of the process to the greatest extent possible. This includes keeping the identity of the reporter confidential, as appropriate, except to the extent necessary to comply with the law, carry out the investigation and/or to resolve the issue, as determined by the Coordinator or administrative designee on a case-by-case basis.

AIMS prohibits any form of retaliation against any individual who files a report or complaint, testifies, assists, participates, or refuses to participate in any investigation or proceeding related to misconduct prohibited by this Policy. Such participation or lack of participation shall not in any way affect the status, grades, or work assignments of the individual. Individuals alleging retaliation in violation of this Policy may file a grievance using the procedures set forth in this Policy. Knowingly making false statements or knowingly submitting false information during the grievance process is prohibited and may result in disciplinary action.

All supervisors of staff will receive sexual harassment training within six (6) months of their assumption of a supervisory position and will receive further training once every two (2) years thereafter. All staff, and any individual designated as a coordinator, investigator or decision-maker and any person who facilitates an informal resolution process will receive sexual harassment training and/or instruction concerning sexual harassment as required by law.

3. Supportive Measures

Upon the receipt of an informal or formal complaint of sexual harassment, the Coordinator will promptly contact the complainant to discuss the availability of supportive measures. The Coordinator will consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint of sexual harassment, and explain the process for filing a formal complaint of sexual harassment.

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint of sexual harassment or where no formal complaint of sexual harassment has been filed. Such measures are designed to restore or preserve equal access to AIMS's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or AIMS's educational environment, or deter sexual harassment. Supportive measures available to complainants and respondents may include but are not limited to counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. AIMS will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of AIMS to provide the supportive measures.

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4. Investigation and Response

Upon receipt of a report of misconduct prohibited by this Policy from a student, staff member, parent, volunteer, visitor or affiliate of AIMS, the Coordinator (or designee) will promptly initiate an investigation. In most cases, a thorough investigation will take no more than twenty-five (25) school days. If the Coordinator (or designee) determines that an investigation will take longer than twenty-five (25) school days and needs to be delayed or extended due to good cause, the Coordinator (or designee) will inform the complainant of the reasons for the delay or extension and provide an approximate date when the investigation will be complete.

At the conclusion of the investigation, the Coordinator (or designee) will meet with the complainant and, to the extent possible with respect to confidentiality laws, provide the complainant with information about the investigation, including any actions necessary to resolve the incident/situation. However, the Coordinator (or designee) will not reveal confidential information related to other students or employees.

For investigations of and responses to formal complaints of sexual harassment, the following grievance procedures will apply:

- Notice of the Allegations
    - Upon receipt of a formal complaint of sexual harassment, the Coordinator will give all known parties written notice of its grievance process, including any voluntary informal resolution process. The notice will include:
        - A description of the allegations of sexual harassment at issue and to the extent known, the identities of the parties involved in the incident, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident;
        - A statement that the respondent is presumed not responsible for the alleged conduct until a final decision is reached;
        - A statement that the parties may have an advisor of their choice, who may be an attorney, and may inspect and review evidence; and
        - A statement that AIMS prohibits an individual from knowingly making false statements or knowingly submitting false information during the grievance process.
- Emergency Removal
    - AIMS may place a non-student employee respondent on administrative leave during the pendency of a formal complaint of sexual harassment grievance process in accordance with AIMS's policies.
    - AIMS may remove a respondent from AIMS's education program or activity on an emergency basis, in accordance with AIMS's policies, provided that AIMS undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and

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provides the respondent with notice and an opportunity to challenge the decision immediately following the removal.

- This provision may not be construed to modify any rights under the IDEA, Section 504, or the ADA.

- Informal Resolution
  - If a formal complaint of sexual harassment is filed, AIMS may offer a voluntary informal resolution process, such as mediation, to the parties at any time prior to reaching a determination regarding responsibility. If AIMS offers such a process, it will do the following:
    - Provide the parties with advance written notice of:
      - The allegations;
      - The requirements of the voluntary informal resolution process including the circumstances under which the parties are precluded from resuming a formal complaint of sexual harassment arising from the same allegations;
      - The parties' right to withdraw from the voluntary informal resolution process and resume the grievance process at any time prior to agreeing to a resolution; and
      - Any consequences resulting from participating in the voluntary informal resolution process, including the records that will be maintained or could be shared; and
    - Obtain the parties' advance voluntary, written consent to the informal resolution process.
  - AIMS will not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.
- Investigation Process
  - The decision-maker will not be the same person(s) as the Coordinator or the investigator. AIMS shall ensure that all decision-makers and investigators do not have a conflict of interest or bias for or against complainants or respondents.
  - In most cases, a thorough investigation will take no more than twenty-five (25) school days. If the investigator determines that an investigation will take longer than twenty-five (25) school days and needs to be delayed or extended due to good cause, the investigator will inform the complainant and any respondents in writing of the reasons for the delay or extension and provide an approximate date when the investigation will be complete. The Title IX process, including informal resolution, opportunities to respond, and determination of responsibility may take up to ninety (90) calendar days or longer, depending on the complexity of the investigation and the issues raised.
  - The parties will be provided with an equal opportunity to present witnesses, to inspect and review any evidence obtained that is directly related to the allegations raised, and to have an advisor present during any investigative meeting or interview.

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- The parties will not be prohibited from discussing the allegations under investigation or to gather and present relevant evidence.
- A party whose participation is invited or expected at an investigative meeting or interview will receive written notice of the date, time, location, participants, and purpose of the meeting or interview with sufficient time for the party to prepare to participate.
- Prior to completion of the investigative report, AIMS will send to each party and the party's advisor, if any, a copy of the evidence subject to inspection and review, and the parties will have at least ten (10) days to submit a written response for the investigator's consideration prior to the completion of the investigation report.
- The investigator will complete an investigation report that fairly summarizes all relevant evidence and send a copy of the report to each party and the party's advisor, if any, at least ten (10) days prior to the determination of responsibility.

● Dismissal of a Formal Complaint of Sexual Harassment

- If the investigation reveals that the alleged harassment did not occur in AIMS's educational program in the United States or would not constitute sexual harassment even if proved, the formal complaint with regard to that conduct must be dismissed. However, such a dismissal does not preclude action under another applicable AIMS policy.
- AIMS may dismiss a formal complaint of sexual harassment if:
  - The complainant provides a written withdrawal of the complaint to the Coordinator;
  - The respondent is no longer employed or enrolled at AIMS; or
  - The specific circumstances prevent AIMS from gathering evidence sufficient to reach a decision on the formal complaint or the allegations therein.
- If a formal complaint of sexual harassment or any of the claims therein are dismissed, AIMS will promptly send written notice of the dismissal and the reason(s) for the dismissal simultaneously to the parties.

● Determination of Responsibility

- The standard of evidence used to determine responsibility is the preponderance of the evidence standard.
- Determinations will be based on an objective evaluation of all relevant evidence and credibility determinations will not be based on a person's status as a complainant, respondent, or witness.
- AIMS will send a written decision on the formal complaint to the complainant and respondent simultaneously that describes:
  - The allegations in the formal complaint of sexual harassment;
  - All procedural steps taken including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;
  - The findings of facts supporting the determination;

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- The conclusions about the application of AIMS's code of conduct to the facts;
- The decision and rationale for each allegation;
- Any disciplinary sanctions the recipient imposes on the respondent, and whether remedies designed to restore or preserve equal access to the education program or activity will be provided to the complainant; and
- The procedures and permissible bases for appeals.

5. Consequences

Students or employees who engage in misconduct prohibited by this Policy, knowingly make false statements or knowingly submit false information during the grievance process may be subject to disciplinary action up to and including expulsion from AIMS or termination of employment. The Coordinator is responsible for effective implementation of any remedies ordered by AIMS in response to a formal complaint of sexual harassment.

6. Right of Appeal

Should the reporting individual find AIMS's resolution unsatisfactory for complaints within the scope of this Policy, other than formal sexual harassment, the reporting individual may, within five (5) business days of notice of AIMS's decision or resolution, submit a written appeal to the President of the AIMS Board, who will review the investigation and render a final decision.

The following appeal rights and procedures will apply to formal complaints of sexual harassment:

- The complainant and the respondent shall have the same appeal rights and AIMS will implement appeal procedures equally for both parties.
- Within five (5) business days of AIMS's written decision or dismissal of the complaint, the complainant or respondent may submit a written appeal to the Coordinator.
- The decision-maker(s) for the appeal will not be the same person(s) as the Coordinator, the investigator or the initial decision-maker(s).
- The complainant and respondent may appeal from a determination regarding responsibility, and from AIMS's dismissal of a formal complaint or any allegations therein, on the following bases:
    - Procedural irregularity that affected the outcome of the matter;
    - New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
    - The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.
- AIMS will notify the other party in writing when an appeal is filed.
- The decision-maker for the appeal will: 1) give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;

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2) issue a written decision describing the result of the appeal and the rationale for the result; and 3) provide the written decision simultaneously to both parties.

7. Recordkeeping

All records related to any investigation of complaints under this Policy are maintained in a secure location.

AIMS will maintain the following records for at least seven (7) years:

- Records of each sexual harassment investigation, including any determination of responsibility; any audio or audiovisual recording or transcript; any disciplinary sanctions imposed on the respondent; and any remedies provided to the complainant.
- Records of any appeal of a formal sexual harassment complaint and the results of that appeal.
- Records of any informal resolution of a sexual harassment complaint and the results of that informal resolution.
- All materials used to train Title IX coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process.
- Records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment.

DRAFT

TITLE IX, HARASSMENT, INTIMIDATION, DISCRIMINATION & BULLYING COMPLAINT FORM

Your Name: _____ Date: _____

Date of Alleged Incident(s): _____

Name of Person(s) you have a complaint against: _____

List any witnesses that were present: _____

Where did the incident(s) occur? _____

Please describe the events or conduct that are the basis of your complaint by providing as much factual detail as possible (i.e., specific statements; what, if any, physical contact was involved; any verbal statements; what did you do to avoid the situation, etc.) (Attach additional pages, if needed):

_____

_____

_____

_____

I hereby authorize AIMS to disclose the information I have provided as it finds necessary in pursuing its investigation. I hereby certify that the information I have provided in this complaint is true and correct and complete to the best of my knowledge and belief. I further understand that providing false information in this regard could result in disciplinary action up to and including termination or expulsion from AIMS K-12 College Prep Charter.

_____ Date: _____
Signature of Complainant

_____
Print Name

<u>To be completed by the AIMS Title IX Coordinator</u>:

Received by: _____ Date: _____

Follow up Meeting with Complainant held on: _____

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AIMS K-12 College Prep Charter District
Board Submission Cover Letter

Submitter Information

Full Name: Eric Haar
Position/Title: Ombudsman
Department: Ombudsman's Office
Date of Submission (MM/DD/YYYY): 4/19/2024

Item Details

Title of Item: UCP policy
Is this item a:
- ☐ New Submission
- ☑ Renewal

If Renewal: Please summarize any changes from the previous submission:
UCP policy has been updated to include new language and requirements as mandated by the state of California

Approvals

Has this item been reviewed by:
- ☐ Superintendent
- ☐ Chief Business Officer (CBO) (If budget changes)
- ☐ Director of Compliance (If plan changes)
- ☑ Neither

Committee Review

Has this item been through the appropriate committee review process?
- ☐ Yes
- ☑ No

If yes: Please specify which committee(s) and provide minutes or approval documentation:

If no: Explain why:
Document and requirements evaluated and suggested by YMC legal staff

Deadline Information

Is there a submission deadline for this item?
- ☑ Yes
- ☐ No

If yes: Please indicate the deadline date (MM/DD/YYYY): May 1, 2024 CAP report

Financial Information (if applicable):

Total Cost: $ N/A

Is this expenditure included in the annual budget?
- ☐ Yes
- ☑ No

Please specify in which plan this expense is indicated:
- ☐ SPSA
- ☐ LCAP
- ☐ Other:

AIMS K-12 COLLEGE PREP CHARTER DISTRICT
BOARD OF DIRECTORS POLICY

BOARD POLCIY #1007
REVISED SEPT 2022

POLICY TITLE: Uniform Complaint Policy and Procedures

The Board of Directors ("Board") of AIMS K-12 College Prep Charter District, a California Non-profit Public Benefit Corporation ("AIMS") hereby adopts the revision of Policy #1007 establishing its Uniform Complaint Policy and Procedures for AIMS College Prep Elementary School, AIMS College Prep Middle School and AIMS College Prep High School, each individually referred to as the "School" or collectively as the "Schools."

AIMS is committed to compliance with applicable state and federal laws and regulations governing educational programs in the operation of the Schools.

Scope

The Schools policy is to comply with applicable federal and state laws and regulations. The Schools 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 conducting investigations shall be knowledgeable about the laws, and programs which they are assigned to investigate. This complaint procedure is adopted to provide a uniform system of complaint processing for the following types of complaints:

(1) Complaints of unlawful discrimination, harassment, intimidation or bullying against any protected group, including actual or perceived discrimination, on the basis of the actual or perceived characteristics of age, ancestry, color, disability, ethnic group identification, gender, expression, gender identity, gender, genetic information, nationality, national origin, race or ethnicity, religion, 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 Schools program or activity, and

(2) Complaints of violations of state or federal law and regulations governing the following programs including, but not limited to:

Accommodations for Pregnant and Parenting Pupils
Adult Education Programs
After School Education and Safety
Child Care and Development
Compensatory Education
Consolidated Application
Course Periods without Education Content

Education of Pupils in Foster Care, Pupils who are Homeless, Former Juvenile Court Pupils Now Enrolled in a School District and Pupils of Military Families

Every Student Succeeds Act
Local Control and Accountability Plans (LCAP)
Consolidated Categorical Aid Programs
Migrant Education
Physical Education Instructional Minutes
Pupil Fees
Reasonable Accommodations to a Lactating Pupil
School Plans for Student Achievement
School Safety Plans
School-site
Councils
Special Education Programs

(3) A complaint may also be filed alleging that a pupil 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 a school, school district, charter school or county office of education that constitutes an integral fundamental part of elementary and second education, including, but not limited to, curricular and extracurricular activities.

b. "Pupil Fee" means a fee, deposit or other charge imposed on pupils, or a pupil's parents or guardians, in violation of Section 49011 of the Education Code and Section 5 of Article IX of the California Constitution, which requires educational activities to be provided free of charge to all pupils without regard to their families/ ability or willingness to pay fees or requested 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 pupil 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 pupil is required to make to obtain a locker, book, class apparatus, musical instrument, uniform or other materials or equipment.

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

c. A pupil fees complaint may be filed with the Head of School, or Ombudsman, or his/her designee.

d. A pupil fees complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an

allegation of noncompliance with laws relating to pupil fees.

d. A pupil fees complaint shall be filed no later than one (1) year from the date the alleged violation occurred.

e. If the Schools find merit in a pupil fees complaint the School" shall provide a remedy to all affected pupils, parents, and guardians that, where applicable, includes reasonable efforts by the "Schools" to ensure full reimbursement to all affected pupils, parents, and guardians, subject to procedures established through regulations adopted by the state board.

f. Nothing in this section shall be interpreted to prohibit solicitation of voluntary donations of funds or property, voluntary participation in fundraising activities, or school districts, school and other entities from providing pupils prizes or other recognition for voluntarily participating in fundraising activities

The following complaints shall be referred to other agencies for appropriate resolution and are not subject to Schools UCP process set forth in this document unless these procedures are made applicable by separate interagency agreements.

Allegations of child abuse shall be referred to Alameda County Department of social Services, Protective Services Division or appropriate law enforcement agency.

Employment discrimination, harassment, intimidation or bullying complaints shall be sent to the Statement Department of Fair Employment and Housing (DFEH)/

Allegations of fraud shall be referred to the Legal, Audits and Compliance Branch in the California Department of Education (CDE)

(4) Complaints of noncompliance with the requirements governing the Local Control Funding Formula or Sections 47606.5 and 47607.3 of the Education Code, as applicable.

The Local Control Accountability Plan (LCAP) is an important component of the Local Control Funding Formula (LCFF), the revised school finance system that overhauled how California funds its K-12 schools. Under the LCFF Schools are required to prepare an LCAP, which describes how Schools intend to meet annual goals for pupils, with specific activities to address state and local priorities identified pursuant to California Education Code (EC) Section 52060(d).

The Schools acknowledges and respects every individual's right to privacy. Unlawful discrimination, harassment, intimation or bullying complaints shall be investigated in a manner that protects [to the greatest extent reasonably possible] the confidentiality of the parties and the integrity of the process. The Schools cannot guarantee anonymity of the complaint. This includes keeping the identity of the complainant confidential. However, the Schools will attempt to do so as appropriate. The Schools may find it necessary to disclose information regarding the complaint/complainant to the extent necessary to carry out the investigation or proceedings, as determined by the Ombudsman on a case-by-case basis.

The Schools prohibits any form of retaliation against any complainant in the complaint process, including but not limited to a complainant's filing of a complaint, or the reporting of instances of unlawful discrimination, harassment, intimidation or bulling. Such participation shall not in any way affect the status, grades or work assignments of the complainant.

Compliance Investigation and Officers

Schools will investigate all allegations of unlawful discrimination, harassment, intimidation or bullying against any protected group as identified in EC Section 200 and 220 and Government Code (GC) Section 11135, including any actual or perceived characteristics as set forth in Penal Code (PC) Section
422.55 or on the basis or a person's association with a person or group with one or more of these actual or perceived characteristics in any program or activity Schools conducts, which is funded directly by, or that receives or benefits from any state financial assistance.

The Board of Directors designates the following compliance officer(s) to receive and investigate complaints and to ensure the Schools compliance with law is Maya Woods-Cadiz, Superintendent, AIMS K-12 College Prep Charter Schools, 171 12th Street, Oakland, CA 94607, or call the office at 510-893-8701.

The Schools Ombudsman shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. Designated employees may have access to legal counsel as determined by the Ombudsman.

Should a complaint be filed against the Ombudsman, the compliance officer for that case shall be the President of the AIMS Charter Schools Board of Directors.

The UCP Annual Notification

The Ombudsman, or designee, shall annually provide written notification of the AIMS Schools Uniform Complaint procedures to employees, students, parents and/or guardians, advisory Committee members, appropriate private school officials or representatives, and other interested parties that includes information regarding allegations about discrimination, harassment, intimidation, or bullying.

The UCP Annual Notice shall include information regarding the requirements of EC Section 49010 through 49013 relating to pupil fees and information regarding the requirements of EC Section 2075 relating to the LCAP.

The annual notification shall be in English, and when necessary, in the primary language, pursuant to Section 48985 of the Education Code if fifteen (15) percent, or more, of the pupils enrolled in the Schools speak a single primary language other than English; or mode of communication of the recipient of the notice.

The Ombudsman, or designee, shall make available copes of the Schools uniform complaint procedures free of charge.

The annual notice shall include the following:

(a) A statement that the Schools is primarily responsible for compliance with federal and state laws and regulations.

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

(c) A statement identifying the responsible staff member, position, or unit designed to receive complaints.

(d) A statement that the complaint has a right to appeal the Schools decision to the California Department of Education (CDE) by filing a written appeal within 15 days of receiving the Schools decision.

(e) 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 § 262.3.

(f) A statement that copies of the local educational agency complaint procedures shall be available free of charge.

Procedures

The following procedures shall be used to address all complaints which allege that Schools has violated federal or state laws, or regulations governing educational programs. Compliance officers shall maintain a record of each complaint and subsequent related actions.

All arties involved in allegations 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, public agency, or organization may file a written complaint of alleged noncompliance by Schools.

A complaint alleging unlawful discrimination, harassment, intimidation or bullying shall be initiated no later than six (6) months from the date when the alleged unlawful discrimination, harassment, intimidation or bullying occurred or six (6) months from the date when the complainant first obtained knowledge of the facts of the alleged unlawful discrimination, harassment, intimidation or bullying. A complaint may be filed by a person who alleges that he/she personally suffered unlawful discrimination, harassment, intimidation or bullying or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination, harassment, intimidation or bullying.

A pupil fees complaint and/or an LCAP complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance.

Pupil fee complaints shall be filed not mater than one (1) year from the date the alleged violation occurred.

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.

If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, Schools staff shall assist him/her in the filing of the complaint.

The complainants are protected from retaliation.

Step 2: Mediation

Within three (3) 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 office 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 problem within the parameters of law, the compliance officer shall proceed with his/her investigation of the complaint.

The use of mediation shall not extend the Schools 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) days of receiving the complaint or an unsuccessful attempt to mediate the complaint. This meeting shall provide an opportunity for the complainant and/or his/her representative to repeat the complaint orally.

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

Refusal by the complainant to provide the investigator with documents or other evidence related to the allegations in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegations.

Refusal by the Schools to provide the investigator with access to records and/or other information related to the allegation in the complaint, or to otherwise fail or refuse to

cooperate in the investigation or engage 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: Response

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant a written report of the Schools' investigation and decision, as described in Step #5 below, within sixty (60) calendar days of the Schools receipt of the complaint.

. Step 5: Final Written Decision

Schools decision shall be in writing and send to the complainant. Schools decision shall be written in English and in the language of the complainant whenever feasible or as required by law.

The report will contain the following elements:

i. The findings of fact based on the evidence gathered
ii. Conclusion of law
iii. Disposition of the complaint
iv. The rationale for such a disposition
v. Correction actions, if any are warranted
vi. Notice of the complainant's right to appeal Schools Decision within fifteen (15) days to the California Department of Education (CDE) and procedures to be followed for initiating such an appeal.
vii. For unlawful discrimination, harassment, intimidation or bullying complaints arising under state law, notice that the complainant must wait until sixty (60) days have elapsed from the filing of an appeal with the CDE before pursing civil law remedies.
viii. For unlawful discrimination, harassment, intimidation or bullying complaints arising under federal law such complaint may be made at any time to the U.S. Department of Education, Office of Civil Rights

If an employee is disciplined as a result of the complaint, the decision shall simply state that effective action was taken and the employee was informed of the Schools' expectations. The report shall not give any further information as to the nature of the disciplinary action.

Complaint Resolution

If Schools finds merit in a complaint regarding Pupil Fees; Local Control and Accountability Plan (LCAP); and/or Physical Education Instructional Minutes (grades one through eight), Schools shall provide a remedy to the affected pupils and parents/guardians.

If Schools find merit in a complaint regarding Reasonable Accommodations to a Lactating Pupil, Course Periods without Educational Content (grades none through twelve), and/or Education of Pupils in Foster Care, Pupils who are Homeless, former Juvenile Court Pupils now enrolled in AIMS College Prep Elementary School, AIMS College Prep Middle School and AIMS College Prep High School, and pupils in military families, Schools shall provide a remedy to the affected pupil.

Schools ensure that an attempt shall be made in good faith to engage in reasonable efforts to identify and fully reimburse all pupils, parents and guardians who paid a pupil fee within one (1) year prior to the filing of the complaint.

Appeals to the California Department of Education

If dissatisfied with the Schools decision, the complainant may appeal in writing to the CDE within fifteen (15) calendar days of receiving the Schools decision. When appealing to the CDE, the complainant must specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the Schools' decision.

Upon notification by the CDE that the complainant has appealed the Schools decision, the Ombudsman, or designee, shall forward the following documents to the CDE:

1. A copy of the original complaint.
2. A copy of the decision.
3. A summary of the nature and extent of the investigation conducted by Schools, if not covered by the decision.
4. A copy of the investigation file, including, but not limited to all notes, interviews, and documents submitted by all parties and gathered by the investigator.
5. A report of any action taken to resolve the complaint.
6. A copy of the Schools' complaint procedures.
7. Other relevant information requested by the CDE

The CDE may directly intervene in the complaint without waiting for action b the Schools when one of the conditions listed in Title 5. California Code of Regulations Section 4650 exists, including cases in which Schools has not taken action within sixty (60) calendar days of the date the complaint was filed with Schools.

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AIMS K-12 COLLEGE PREP CHARTER DISTRICT
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 (___)_____

AIMS School/Office of Alleged Violation _____

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

[ ] After School Education & Safety [ ] Consolidated Application [ ] Course Periods without Education Content

[ ] Education of pupils in Foster Care, Pupils who are homeless, Former Juvenile Court Pupils Enrolled in a School District and Pupils of Military Families [ ] Every Student Success Act [ ] Local Control & Accountability Plans (LCAP)

[ ] Consolidated Categorical Aid Programs [ ] Migrant Education [ ] Physical Education Instructional Minutes

[ ] Pupil Fees [ ] School Plans for Student Achievement [ ] School Safety Plans [ ] School-site Councils

[ ] Special Education Programs [ ] Adult Education Programs [ ] Reasonable Accommodations for a Lactating Pupil [

] Compensatory Education [ ] Accommodations for Pregnant and Parenting Pupils [ ] Child Care and Development

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 [ ] Gender/Gender Expression/Gender Identify [ ] Sex (actual or perceived) [ ] Ancestry [ ]

Genetic Information [ ] Sexual Orientation (actual or perceived) [ ] Ethnic Group Identification

[ ] National Origin [ ] Race or Ethnicity [ ] Religion [ ] Disability (Mental or Physical [ ] Color

[ ] Based on association with a person or 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 AIMS 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 supportive documents. _____ YES _____ NO

Signature _____ Date
_____ E-mail complaint and any relevant documents to:

Ombudsman
ombudsman@aimsk12.org

Coversheet

2024-2025 School Calendar

Section: III. Action Items
Item: C. 2024-2025 School Calendar
Purpose: Vote
Submitted by:
Related Material: 2024-2025 School Calendar.pdf

AIMS K-12 College Prep Charter District
Board Submission Cover Letter

Submitter Information

Full Name: Marisol Magana
Position/Title: Director
Department: Health & School Support Services
Date of Submission (MM/DD/YYYY): 04/19/2024

Item Details

Title of Item: AIMS K-12 Calendar 2024-2025 School Year
Is this item a: ☑ New Submission
☐ Renewal
If Renewal: Please summarize any changes from the previous submission:

Approvals

Has this item been reviewed by:

- ☐ Superintendent
- ☐ Chief Business Officer (CBO) (If budget changes)
- ☐ Director of Compliance (If plan changes)
- ☑ Neither

Committee Review

Has this item been through the appropriate committee review process?

☐ Yes ☐ No

If yes: Please specify which committee(s) and provide minutes or approval documentation:

If no: Explain why:

Deadline Information

Is there a submission deadline for this item?

☑ Yes ☐ No

If yes: Please indicate the deadline date (MM/DD/YYYY): 5

Financial Information (if applicable):

Total Cost: $

Is this expenditure included in the annual budget?

☐ Yes ☐ No

Please specify in which plan this expense is indicated:

☐ SPSA ☐ LCAP ☐ Other:

AIMS K-12 College Prep Charter District

2024-2025 School Calendar

DRAFT

July 2024

	S	M	T	W	T	F	S
		1	2	3	4	5	6
7	8	9	10	11	12	13	
14	15	16	17	18	19	20	
21	22	23	24	25	26	27	
28	29	30	31				

August 2024

	S	M	T	W	T	F	S
					1	2	3
4	5	6	7	8	9	10	
Q1 11	12	13	14	15	16	17	
2 18	19	20	21	22	23	24	
3 25	26	27	28	29	30	31	

*13

September 2024

	S	M	T	W	T	F	S
3	1	2	3	4	5	6	7
4	8	9	10	11	12	13	14
5	15	16	17	18	19	20	21
6	22	23	24	25	26	27	28
7	29	30					

*19

October 2024

	S	M	T	W	T	F	S
8			1	2	3	4	5
9	6	7	8	9	10	11	12
10	13	14	15	16	17	18	19
Q2	20	21	22	23	24	25	26
2	27	28	29	30	31		

*22

November 2024

	S	M	T	W	T	F	S
2						1	2
3	3	4	5	6	7	8	9
4	10	11	12	13	14	15	16
5	17	18	19	20	21	22	23
/	24	25	26	27	28	29	30

*14

December 2024

	S	M	T	W	T	F	S
6	1	2	3	4	5	6	7
7	8	9	10	11	12	13	14
8	15	16	17	18	19	20	21
/	22	23	24	25	26	27	28
/	29	30	31				

*14

January 2025

	S	M	T	W	T	F	S
/				1	2	3	4
9	5	6	7	8	9	10	11
10	12	13	14	15	16	17	18
Q3	19	20	21	22	23	24	25
2	26	27	28	29	30	31	

*18

February 2025

	S	M	T	W	T	F	S
2							1
3	2	3	4	5	6	7	8
4	9	10	11	12	13	14	15
5	16	17	18	19	20	21	22
6	23	24	25	26	27	28	

*19

March 2025

	S	M	T	W	T	F	S
6							1
7	2	3	4	5	6	7	8
8	9	10	11	12	13	14	15
9	16	17	18	19	20	21	22
10	23	24	25	26	27	28	29
/	30	31					

*19

April 2025

	S	M	T	W	T	F	S
/			1	2	3	4	5
Q4	6	7	8	9	10	11	12
2	13	14	15	16	17	18	19
3	20	21	22	23	24	25	26
4	27	28	29	30			

*16

May 2025

	S	M	T	W	T	F	S
4					1	2	3
5	4	5	6	7	8	9	10
6	11	12	13	14	15	16	17
7	18	19	20	21	22	23	24
8	25	26	27	28	29	30	31

*21

June 2025

	S	M	T	W	T	F	S
9	1	2	3	4	5	6	7
10	8	9	10	11	12	13	14
	15	16	17	18	19	20	21
	22	23	24	25	26	27	28
	29	30					

*12

Schools Closed
Schools & Office Closed
All Staff PD
Teacher/Parent Conference

First/Last Day of School
Report Card Week
Progress Report Week
100th Day of School

AP/CAASPP Testing
Summer School
187 Number of Instructional Days in the School Year
*## Number of Instructional Days in the Month

JUL 04	Independence Day (School & Office Closed)	JAN 31	100th Day of School
AUG 01-13	AIMS Staff Orientation (School Closed)	FEB 17	Presidents' Day (School & Office Closed)
AUG 14	First Day of School for Students	MAR 27	End of Quarter 3 Marking Period
SEP 02	Labor Day (School & Office Closed)	MAR 28	Staff Development (School Closed)
OCT 07	Teacher/Parent Conference (No School For Students)	MAR 31-APR 04	Spring Break (School Closed)
		APR 08	Staff Development (School Closed)
OCT 18	End of Quarter 1 Marking Period	APR 11	Teacher/Parent Conference (No School For Students)
NOV 01	Staff Development (School Closed)		
NOV 11	Veterans Day (School & Office Closed)	MAY 01-JUN 13	AP/CAASPP Testing
NOV 25-29	Thanksgiving Break (School Closed)	MAY 26	Memorial Day (School & Office Closed)
DEC 02	Staff Development (School Closed)	JUN 13	End of Quarter 4/ Semester 2 Marking Period
DEC 23-JAN 03	Winter Break (School Closed)	JUN 17	Last Day of School for Students
JAN 06	Staff Development (School Closed)	JUN 17	AIMS Graduation Day
JAN 17	End of Quarter 2/ Semester 1 Marking Period	JUN 18	Staff Development (School Closed)
JAN 20	MLK Jr. Day (School & Office Closed)	JUN 19	Juneteenth (School & Office Closed)

Check Update: calendar.aimsk12.org

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