



**Maya Woods-Cadiz**

*Superintendent*

AIMS K-12 College Prep Charter District  
171 12th Street, Oakland, CA 94607

Email : maya.woods-cadiz@aimsk12.org  
T : 510-893-8701

To: AIMS Board of Education

From: Superintendent Woods-Cadiz

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Subject: Recommendations for Board Policies and Administrative Regulations on Complaint Procedures Based On August 13, 2024 Lozano Smith Podcast Advice

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**Executive Summary:**

This memo provides detailed recommendations for updating our board policies and administrative regulations regarding complaint procedures. These updates incorporate specific guidance from Lozano Smith to ensure compliance with legal requirements and enhance the effectiveness of our complaint resolution process.

**Key Recommendations:**

- **Board Policies:**
  - **Policy on Complaint Procedures (e.g., BP 1312.3 - Uniform Complaint Procedures):**
    - **Scope and Applicability:** Clearly define the types of complaints covered under UCP, including discrimination, harassment, intimidation, and bullying based on protected characteristics, as well as violations of state or federal law concerning specific educational programs.
    - **Specific Categories:** Require findings letters and investigative reports to include specific categories, ensuring comprehensive documentation.
    - **Appeal Process:** Outline a specified appeal process to the California Department of Education, ensuring a clear pathway for escalation.
  - **Policy on Williams Complaints (e.g., BP 1312.4 - Williams Uniform Complaint Procedures):**
    - **Flexibility:** Maintain flexibility in handling complaints about instructional materials, facilities, and teacher vacancies or misassignments without the stringent documentation requirements of UCP.
    - **Resolution Timeline:** Establish a clear timeline for resolving complaints to ensure timely responses.
  - **Policy on Non-Discrimination (e.g., BP 4030 - Non-Discrimination in Employment):**
    - **Protection Scope:** Clearly outline protections against harassment and discrimination based on protected characteristics for employees.
    - **Complaint Handling:** Specify procedures for handling complaints, including timelines and responsible parties.
- **Administrative Regulations:**
  - **Regulations for UCP (e.g., AR 1312.3):**
    - **Investigation Procedures:** Detail the steps for conducting investigations, including timelines (30-60 days), documentation requirements, and responsible personnel.
    - **Training Requirements:** Include provisions for regular training of staff on UCP procedures and legal updates.
  - **Regulations for Williams Complaints (e.g., AR 1312.4):**
    - **Simplified Process:** Outline a simplified process for addressing complaints, with an emphasis on flexibility and timely resolution.



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- Monitoring and Reporting: Establish mechanisms for monitoring and reporting complaint resolutions to ensure accountability.
- Incorporating Lozano Smith's Advice:
  - Proactive Investigations: Emphasize starting investigations as soon as possible, ideally before the outlined procedures are enacted.
  - Conduct and Complainant Focus: To determine the appropriate procedure, highlight the need to focus on the conduct being alleged and the identity of the complainant.
  - Appeal Rights: Clarify the appeal rights, typically involving the superintendent or designee and potentially extending to the governing board, depending on district policy.

**Conclusion:**

We will update our board policies and administrative regulations as recommended to ensure compliance with legal standards and best practices. This will enhance our ability to handle complaints effectively, protect the rights of students and employees, and maintain transparency and accountability.

**Action Items:**

- Draft revisions to existing board policies and administrative regulations based on these recommendations.
- Monitor ongoing legal developments to ensure policies and regulations remain current and effective.

Attachment: [Let's Talk - Lozano Smith Podcast](#)

[Episode 77 What K-12 School Districts Need to Know about Internal Complaint Procedures](#)