



Urban Montessori Charter School

Executive & Governance Committee Regular Meeting

[rescheduled from April 17, 2023]

Published on April 17, 2023 at 10:36 AM PDT

Date and Time

Thursday April 20, 2023 at 1:30 PM PDT

Location

4551 Steele Street, Oakland, CA 94619. Ring the front bell or call/text 510-290-4005 for entry. Signage on campus will direct you to the correct room, generally the Head of School's Office.

The public may comment and participate [via Zoom](#) if they prefer. The public may also email comments to christinag@urbanmontessori.org to be shared during the meeting. Please make that intention clear in your email. Please make that intention clear in your email.

<https://us02web.zoom.us/j/82592855160?pwd=cG02OTRoUVdrdngwOTI2WFBrOTBzQT09>

Meeting ID: 825 9285 5160; Passcode 510 842 1181

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Find your local number: <https://us02web.zoom.us/j/k1Y3eQWvA>

Additional teleconference locations: 1623 Sunhill Ct, Martinez, CA 94553; 3921 Enos Ave, Oakland, 94619, 2600 Tenth Street, Berkeley, CA 94710

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Members: Sarah Morrill (Chair), Greg Klein

Urban Montessori Charter School welcomes your participation at Board meetings. The purpose of a public meeting of the Board of Directors ("Board") is to conduct the affairs of the organization in public. Your participation assures us of continuing community interest in our school and assists the Board in making the best decisions for our school. To assist you in the ease of speaking/participating in our meetings, guidelines are provided at the bottom of this agenda. All materials for all board and committee meetings, including audio recordings of Regular Board Meetings, are available on our [BoardOnTrack public portal](#) and also through the [UMCS School Calendar](#).

Agenda

	Purpose	Presenter	Time
I. Opening Items			1:30 PM
A. Call the Meeting to Order		Sarah Morrill	
B. Record Attendance		Greg Klein	1 m
C. Approve Minutes from prior Executive & Governance Committee Meeting	Approve Minutes	Greg Klein	1 m
Approve minutes for Executive & Governance Committee Regular Meeting on March 13, 2023			
D. Review of Action/Discussion Items	Discuss	Sarah Morrill	1 m

Purpose Presenter Time

With input from the committee, the committee chair may decide, based upon a number of factors, to reorder the action/discussion items to best suit the needs of the meeting. No additional action/discussion items will be added at this time.

E. Presentations from the Floor	Sarah Morrill	5 m
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PRESENTATIONS ON NON-AGENDA ITEMS – Any person wishing to speak to any item not on the agenda will be granted three minutes to make a presentation. Speakers required translation will be granted double time. Comments should refer to matters within the jurisdiction of this committee.

II. Executive and Governance 1:38 PM

A. Long Term Goals & Follow Up	Discuss	Sarah Morrill	15 m
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Executive Committee Focused Goals
Our ABAR Commitment and Land Acknowledgement are integrated into all the facets of our work with students, staff, and families.

Review updated board Job Description and discuss recruitment

This is the [planning document](#) provided by the Diverse Charter Schools Coalition Equity in Governance cohort and that this committee is using to organize the Board's work across the Six Long Term Goals.

B. Board Membership, Recruitment, and Training	Discuss	Sarah Morrill	10 m
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Discussion on status of Board members, recent recruitment, and training, including training in different Board roles.

C. Head of School Evaluation Process	Discuss	Sarah Morrill	10 m
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Discuss timeline and direct reports for HOS evaluation

III. Updates on School Policies and Required Documents 2:13 PM

A. Board Governance Documents	Discuss	Greg Klein	10 m
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Board work in support of school policies review.

Uniform Complaint Policy
 Public Records Act Policy
[Annual Notices for Families 2023-2024](#)
[UMCS Family Handbook](#)

	Purpose	Presenter	Time
IV. Closed Session			2:23 PM
A. Closed Session Items	Discuss	Sarah Morrill	10 m

Public Employee Performance Evaluation - Head of School

"Closed Session" is always agendized ahead of time as a "Discuss" item. If any votes are taken during any Closed Session, those are reported out publicly upon return to Open Session.

B. Report out of Closed Session	Vote	Sarah Morrill	2 m
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"Return to Open Session" is always agendized ahead of time as a "Vote" item. It is not meant to indicate the the Board *shall* take an action at this time. If any votes are taken during any Closed Session, those are reported out publicly at this time on the agenda.

V. Closing Items			2:35 PM
A. Adjourn Meeting	Discuss	Sarah Morrill	1 m

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REASONABLE LIMITATIONS MAY BE PLACED ON PUBLIC TESTIMONY The Governing Board’s presiding officer reserves the right to impose reasonable time limits on public testimony to ensure that the agenda is completed.

SPECIAL PRESENTATIONS MAY BE MADE Notice is hereby given that, consistent with the requirements of the Bagley-Keene Open Meeting Act, special presentations not mentioned in the agenda may be made at this meeting. However, any such presentation will be for information only.

REASONABLE ACCOMMODATION WILL BE PROVIDED FOR ANY INDIVIDUAL WITH A DISABILITY Pursuant to the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, any individual with a disability who requires reasonable accommodation to attend or participate in this meeting of the Governing Board may request assistance by contacting UMCS at 4551 Steele Street, Oakland, CA 94619 or info@urbanmontessori.org.

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Governance Section of our website: <http://www.urbanmontessori.org/governance> or directly via our [BoardOnTrack public portal](#).

Coversheet

Approve Minutes from prior Executive & Governance Committee Meeting

Section: I. Opening Items
Item: C. Approve Minutes from prior Executive & Governance Committee Meeting
Meeting:
Purpose: Approve Minutes
Submitted by:
Related Material:
Minutes for Executive & Governance Committee Regular Meeting on March 13, 2023

APPROVED



Urban Montessori Charter School

Minutes

Executive & Governance Committee Regular Meeting

Date and Time

Monday March 13, 2023 at 1:15 PM

Location

4551 Steele Street, Oakland, CA 94619. Signage on campus will direct you to the correct room, generally the Sun Room.

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Committee Members Present

G. Klein, S. Morrill (remote)

Committee Members Absent

None

Guests Present

K. Feeney

I. Opening Items

A. Call the Meeting to Order

S. Morrill called a meeting of the Executive and Governance Committee of Urban Montessori Charter School to order on Monday Mar 13, 2023 at 1:22 PM.

B. Record Attendance

The committee discussed Sarah attending this meeting remotely under the provisions of AB 2449. She joined with camera and audio on, and she had extenuating circumstances.

Sarah notified the committee of this issue earlier this morning. This is Sarah's first use of this provision this school year for this committee.

C. Approve Minutes from prior Executive & Governance Committee Meeting

S. Morrill made a motion to approve the minutes from Executive & Governance Committee Regular Meeting on 02-13-23.

G. Klein seconded the motion.

No questions or public comments.

The committee **VOTED** unanimously to approve the motion.

Roll Call

S. Morrill Aye

G. Klein Aye

D. Review of Action/Discussion Items

No changes needed.

E. Presentations from the Floor

No public comments on items not on the agenda.

II. Executive and Governance

A. Long Term Goals & Follow Up

Greg shared the planning template from DCSC, and Sarah and Greg are going to work on it through their sessions and in between. Can be reviewed here, too, all related to our long term six goals. The link is available to the public, too.

<https://docs.google.com/document/d/1n9RLMVeRZ5rBQTQcisqu216K8LTEBrIhjlKIXW1JZK8/edit?usp=sharing>

No public comments on this item.

B. Board Membership, Recruitment, and Training

Sarah will connect with Iris about Forms 700, board members have until April 1st to file their annual Form 700. Greg attended a recent training about Form 700 and the training materials are included on today's agenda and will be shared with the full board.

No other discussion or public comment on this item.

III. Updates on School Policies and Required Documents

A. Board Governance Documents

The board discussed the UMCS Conflict of Interest, Board Bylaws, and the Board Book. The committee discussed a few non-material updates and fixes, and then Sarah is going

to work on creating a more digestible Board Job Description (part of the Board Book) to make that section more shareable to support our ongoing search for new board members.

No questions or public comments on this item.

B. Measure G1 Review and Discussion

Krishna shared an overview of Measure G1. Our Measure G1 application is due March 17th and we recently received the application that supports the process. Measure G1 supports 6-8th grade to increase arts, music, and world languages; improving student retention 5th to 6th grade; and supporting safe and positive learning environments. All the funding is audited. Proposing to support culture and climate of middle school students with the director of student services position, and also to help with attendance. The committee discussed the proposal and supports the draft planned proposal.

No public comments or questions on this item.

IV. Closed Session

A. Closed Session Items

At 1:52pm, Sarah announced that the Committee would go into Closed Session on Public Employee Performance Evaluation - Head of School. There were no public comments on this item.

B. Report out of Closed Session

At 2:15pm, the Committee returned to open session. No actions were taken.

V. 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 2:15 PM.

Respectfully Submitted,
G. Klein

Documents used during the meeting

- Handout-Help-is-Here-Filling-Out-Statement-of-Economic-Interest-Form-700.pdf

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Coversheet

Board Governance Documents

Section: III. Updates on School Policies and Required Documents
Item: A. Board Governance Documents
Purpose: Discuss
Submitted by:
Related Material: UMCS_Public_Records_Act_Policy.pdf
UMCS_Uniform_Complaint_Policy.pdf

	California Public Records Act Policy	
	Last Reviewed/Revised: 03/24/2022	Effective Date: 08/22/2019
	Original Author: UMCS Board	Policy Status: ACTIVE

DESCRIPTION: Provide the organization’s policies and procedures to implement the California Public Records Act.

Requests for public records shall be made to the Main Office. The Head of School or designee may then determine the most appropriate employee of Urban Montessori Charter School (UMCS) to assist in assembling any public records for production.

Any person may request a copy of any public record open to the public and not exempt from disclosure. While a request need not be in writing, if the request is verbal, the requestor will be asked to reduce the request to writing so there is a written record of the records being requested. If the requestor chooses not to reduce the request to writing, the Head of School or designee shall reduce the request to writing and confirm the request with the requestor. The request for public records must clearly identify the records requested, along with the name and mailing or email address of the requestor.

Provisions of the California Public Records Act (Government Code Section 6250 et seq.) shall not be construed so as to delay access for purposes of inspecting or receiving copies of records open to the public. Any notification denying a request for public records shall state the name and title of each person responsible for the denial.

UMCS may charge for copies of public records or other materials requested by individuals or groups. The charge, based on the direct cost of duplication, has been set by the Board of Directors at \$0.15 cents per page. The direct cost of duplication includes the pro rata expense of the copying equipment used and the pro rata expense in terms of staff time required to produce the copy. It does not include the cost of locating, retrieving, or inspecting records.

Requests to waive associated fees related to the direct cost of duplication shall be submitted to the Head of School’s Office.

Public access shall not be given to records listed as exempt from public disclosure in the California Public Records Act or other applicable statutes.

UMCS Board members and employees should be discouraged from using private devices and accounts for UMCS business. To the extent this does occur, UMCS Board members and employees shall receive training on the Public Records Act. Requests for records sent or received on private devices used by employees shall be limited to those records that can be located with reasonable effort, are related to the conduct of UMCS business, and are not exempt from public disclosure in the California Public Records Act.

Within ten (10) days of receiving any request for a copy of records, the Head of School or designee shall determine whether the request seeks copies of disclosable public records in the possession of UMCS, shall promptly inform the person making the request of UMCS's intent to comply with the request, and shall indicate the date that the disclosable public records shall be made available.

In unusual circumstances, the Head of School may extend the 10-day time period for an additional 14 days by providing written notice to the requestor and setting forth the reasons for the extension and the date on which a determination is expected to be made. Unusual circumstances include, but only to the extent reasonably necessary to properly process the request, the following:

1. The need to search for and collect the requested records from field facilities or other locations that are separate from the office processing the request;
2. The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records that are demanded in a single request;
3. The need for consultation, which shall be conducted with all practicable speed, with another agency having a substantial interest in the determination of the request, or among two or more components of UMCS having substantial subject matter interest therein;
4. The need to compile data, to write programming language or a computer program, or to construct a computer report to extract data.

If an inspection is requested, any person shall have reasonable access, during normal business hours, to the public records of UMCS within the requirements of state law. However, if records are not readily available, or if portions of the records to be inspected must be redacted to protect exempt material, then UMCS must be given a reasonable period of time to perform these functions prior to inspection. Such records shall be examined in the presence of the staff member regularly responsible for their maintenance.

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UNIFORM COMPLAINT POLICY AND PROCEDURES

Urban Montessori Charter School's (UMCS) policy is to comply with applicable federal and state laws and regulations. UMCS 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 all types of complaints. The heart of this policy is that complainants should seek to solve a problem as direct or "low level" as possible. At each level, our policy is that employees seek to problem solve in partnership with one another and with families as much as they are able. When unsatisfied, complainants then work "up" the organizational structure to Head of School, and if need be, the Board of Directors. Complaints may include:

1. Complaints of discrimination against any protected group including actual or perceived, including discrimination on the basis of age, sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability, 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 UMCS program or activity; and
2. Complaints of violations of state or federal law and regulations governing the following programs including but not limited to: special education, Title II, Section 504 of the Rehabilitation Act, consolidated categorical aid, Every Student Succeeds Act, migrant education, career technical and technical education training programs, child care and development programs, child nutrition program.

The UMCS acknowledges and respects every individual's rights to privacy. Discrimination complaints shall be investigated in a manner that protects the confidentiality of the parties and the integrity of the process. This includes keeping the identity of the complainant confidential, as appropriate and except to the extent necessary to carry out the investigation or proceedings, as determined by the Head of School or designee on a case-by-case basis.

UMCS 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 discrimination. Such participation shall not in any way affect the status, grades, or work assignments of the complainant.

Compliance Officers

Except in cases where a complainant brings a complaint against the Head of School, the Governing Board designates the following compliance officer(s) to receive and investigate complaints and to ensure the Charter School's compliance with law:

Head of School, Urban Montessori Charter School

The Head of School or designee 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 Head of School or designee.

In the case of transition of the Head of School, the Interim Head(s) of School will be a compliance officer.

Notifications

[Board approved most recently on May 26, 2022]

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The Head of School or designee shall annually provide written notification of the UMCS's uniform complaint procedures to students, employees, parents/guardians, the Governing Board, appropriate private officials or representatives, and other interested parties.

General Requirements

Confidentiality: All complainants will be notified that information obtained from the complainants and thereafter gathered will be maintained in a manner as confidential as possible, but in some circumstances absolute confidentiality cannot be assured.

Non-Retaliation: All complainants will be advised that they will be protected against retaliation as a result of the filing of any complaints or participation in any complaint process.

Resolution: The Board (if a complaint is about the Head of School) or the Head of School or designee will investigate complaints appropriately under the circumstances and pursuant to the applicable procedures, and if necessary, take appropriate remedial measures to ensure effective resolution of any complaint.

General Complaint Procedures (these are further specified in sections below)

Step 1: A compliance officer receives a complaint form and the 60-day limit begins for final determination of the formal complaint process.

Before initiating the mediation of a discrimination 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 UMCS's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time.

Step 2: Investigation of Complaint

The compliance officer is encouraged to hold an investigative meeting within five 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/her representative shall have an opportunity to present the complaint and evidence or information leading to evidence to support the allegations in the complaint.

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

UMCS's refusal to provide the investigator with access to records and/or other information related to the allegation in the complaint, or its failure or refusal to cooperate in the investigation or its engagement in any other obstruction of the investigation, may result in a finding, based on evidence collected, that a violation has occurred and may result in

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the imposition of a remedy in favor of the complainant.

Step 3: Written Decision

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant a written report of the Charter School's investigation and decision within 30 days of meeting with the complainant. The Charter School's decision shall be written in English and in the language of the complainant whenever feasible or as required by law.

The written decision shall include:

1. The findings of fact based on evidence gathered.
2. The conclusion(s) of law.
3. Disposition of the complaint.

Step 4: Response

If the complainant is dissatisfied with the compliance officer's decision, he/she may, within five days, file his/her complaint in writing with the Board.

The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60-day time limit within which the complaint must be answered, starting from the date the complaint was received. The Board may decide not to hear the complaint, in which case the compliance officer's decision shall be final.

If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within 60 days of UMCS's initial receipt of the complaint or within the time period that has been specified in a written agreement with the complainant.

The compliance officer's (or designee's) decision relating to the complaint shall be final unless it is appealed to the Board of Directors. The decision of the Board of Directors shall be final, unless appealed to the Alameda County Office of Education.

Internal Complaints (Complaints by Employees Against Employees)

This section of the policy is for use when a UMCS employee raises a complaint or concern about a co-worker.

If reasonably possible, internal complaints should be resolved at the lowest possible level, including attempts to discuss/resolve concerns with the immediate supervisor. However, in the event an informal resolution may not be achieved or is not appropriate, the following steps will be followed by the Head of School or designee:

1. The complainant will bring the matter to the attention of the Head of School as soon as possible after attempts to resolve the complaint with the immediate supervisor have failed or if not appropriate; and
2. The complainant will reduce his or her complaint to writing, indicating all known and relevant facts. The Head of School or designee will then investigate the facts and provide a solution or explanation;
3. If the complaint is about the Head of School, the complainant may file his or her complaint in a signed writing to the Chair of the Board of Directors of the School, who will then confer with the Board and may conduct a fact-finding or authorize a third party investigator on behalf of the Board. The Chair or investigator will report

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his or her findings to the Board for review and action, if necessary.

This policy cannot guarantee that every problem will be resolved to the employee's satisfaction. However, UMCS values each employee's ability to express concerns and the need for resolution without fear of adverse consequence to employment.

Policy for Complaints Against Employees (Complaints by Third Parties Against Employees)

This section of the policy is for use when a non-employee raises a complaint or concern about a UMCS employee.

If complaints cannot be resolved informally, complainants may file a written complaint with the compliance officer (as described above). Formal complaints should be written and submitted as soon as possible after the events that gave rise to the concerns. The written complaint should set forth in detail the factual basis for the complaint.

In processing the complaint, the compliance officer shall abide by the following process:

The compliance officer or designee shall use his or her best efforts to talk with the parties identified in the complaint and to ascertain the facts relating to the complaint.

In the event that the compliance officer (or designee) finds that a complaint against an employee is valid, the compliance officer (or designee) may take appropriate disciplinary action against the employee. As appropriate, the compliance officer (or designee) may also counsel/reprimand employees as to their conduct without initiating formal disciplinary measures.

The compliance officer's (or designee's) decision relating to the complaint shall be final unless it is appealed to the Board of Directors. The decision of the Board of Directors shall be final, unless appealed to the Alameda County Office of Education.

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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 Urban Montessori 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. If I am an employee, I further understand providing false information in this regard could result in disciplinary action up to and including termination.

Signature of Complainant

Date: _____

Print Name

To be completed by School:

Received by: _____

Date: _____

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UMCS Student Incident Investigation Protocol

Incidents and or complaints of harassment, discrimination or abusive conduct will be promptly investigated. If the investigation substantiates the accusations, the appropriate corrective action will be taken. This may include, but not be limited to, conflict resolution, suspension or dismissal, depending on the nature and severity of the offense.

Reporting

UMCS encourages the prompt reporting of complaints or concerns so that rapid and appropriate remedial action can be taken before relationships become irreparably strained. Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment or bullying.

Investigation

Any reported allegations of harassment, discrimination, abusive conduct or retaliation will be investigated promptly. The investigation may include individual interviews with the students and staff involved and, where necessary, with student and staff who may have observed the alleged conduct or may have other relevant knowledge.

Confidentiality

Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation methods and appropriate corrective actions. The School has a compelling interest in protecting the integrity of its investigations. In every investigation, the School has a strong desire to protect witnesses from harassment, intimidation and retaliation, to keep evidence from being destroyed, to ensure that testimony is not fabricated, and to prevent a cover-up.

Retaliation

Retaliation against an individual for reporting harassment, discrimination, abusive conduct or for participating in an investigation will be subject to disciplinary action. Acts of retaliation should be reported immediately and will be promptly investigated and addressed.