



BARONA INDIAN CHARTER

1095 Barona Road, Lakeside, CA 92040 • (619) 443-0948 • FAX (619) 443-7280

baronaindiancharterschool.com

Governing Board of Directors REGULAR BOARD MEETING AGENDA

April 24, 2023 — 8:30 AM

Barona Community Center Meeting Room at 1095 Barona Road, Lakeside, CA 92040

- I. **Call to Order/Roll Call- Ray Welch- Chairman, Tawnya Phoenix- Vice Chair, Danthia Gil- Secretary/Treasurer, Darla Boller- Member, & Melanie Villa- Member**
- II. **Approval of Agenda-** changes to the agenda are made at this time.
- III. **Approval of Minutes** for February 15, 2023 & March 13, 2023
- IV. **Public Comment-** Any person may address the Board about any agenda item and may be granted five (5) minutes to talk when an item is discussed. Time per agenda item shall be determined based on the number of speakers. This time will not exceed 30 minutes. Board may lengthen time by consensus.
- V. **Action Items**
 - A. **Approval of Consulting Agreement with Jeffrey Felix as Advisor** -The Board will consider a contract to continue utilizing the professional educational advisory services of Dr. Jeffrey Felix for the 2023-2024 school year.
 - B. **Harassment, Discrimination, Intimidation and Bullying Prevention Policy** - The Board will consider approving a new policy that will create and maintain a learning environment where students and employees are treated with dignity, decency, and respect. This policy will maintain an environment that encourages and fosters appropriate conduct among all persons and respect for individual values.
 - C. **Suicide Prevention Policy-** The Board will consider approving a new policy that will protect the health and well-being of all district students by having procedures in place to prevent, assess the risk of, intervene in, and respond to suicide.
 - D. **Title IX Sexual Harassment Policy and Grievance Procedures-** The Board will consider approving a new policy that requires extensive standards and grievance procedures for complaints of sexual harassment. Title IX is a federal civil rights law that protects people from discrimination based on sex in education programs or activities that receive federal financial assistance. While many associate Title IX strictly with equity in access to sports and facilities irrespective of sex, it also applies to sexual harassment, including sexual violence.

E. Approve 2023 Summer School Plan- Since an extended summer break results in significant learning loss, especially among disadvantaged and low-achieving students, staff recommends a plan to provide summer school opportunities for students to practice essential skills and make academic progress. This summer program will be aligned with the LCAP and the educational program provided during the school year. This program will blend high quality academic instruction in core curricular and/or elective subjects with recreation, nutrition programs, social and emotional development, and support services that encourage attendance, student engagement in learning, and student wellness. This program is funded using one-time ESSER funds.

VI. Reports- Principal Julie Cushman will report to the Board.

VII. Organizational Business

A. Future agenda items and/or Board member comments

B. Upcoming meetings

1. June 20 (4:00 PM), June 26 (Budget)

VIII. Adjournment

Accommodating Those Individuals with Special Needs– In compliance with the Americans with Disabilities Act, Barona Indian Charter School encourages those with disabilities to participate fully in the public meeting process. If you require special accommodations to attend or participate in our public meeting, contact our office at (619) 443-0948 or kmjohnson@mybics.org by noon of the business day prior to the regular meeting you wish to attend so that we may make every reasonable effort to accommodate you. At least 72 hours prior to each Board meeting, a copy of all available documents supporting the agenda items is available in the school office at 1095 Barona Road, Lakeside CA. You may also request a packet by contacting our office at (619) 443-0948 or kmjohnson@mybics.org.

**Barona Indian Charter School
Board of Directors Regular Meeting
February 15, 2023**



1. **Call to Order:** Chairman Raymond Welch, called the meeting to order at 8:34AM.
Roll Call: Chairman Raymond Welch, Tawnya Phoenix- Vice Chair, Danthia Gil- Secretary/Treasurer, Darla Boller- Member, & Melanie Villa- Member
Members Absent:
Others in attendance: Julie Cushman, Nina Drammissi, Family Resource Coordinator, Rebecca Gill, Teacher
2. **Approval of Agenda**
Approval of February agenda

Motion by Danthia, Second by Darla to approve the agenda. Carried 5, 0, 0.
3. **Public Comment** – There was no request for public comment for Agenda.
4. **Open Session Adjourned** – Open Session adjourned at 8:36am
5. **Closed Session Opened**- Per Government Code Section 35146 the Board met in Closed Session to discuss matters related to a student and that student’s attendance, academic, and social performance. (Education Code Section 48320).
6. **Closed Session Adjourned** - No action taken in Closed Session.
Closed Session adjourned at 10:42am
7. **Return to Open Session** – Session opened at 10:42am
No action taken.
Open Session adjourned at 10:43am

No further business, by **Motion** of Danthia and Second by Melanie.
The Special Meeting was adjourned at 10:42am. Motion carried 5, 0, 0.

Respectfully submitted by Kristi Johnson, Recording Secretary

**Barona Indian Charter School
Board of Directors Regular Meeting
March 13, 2023**



1. **Call to Order:** Chairman Raymond Welch, called the meeting to order at 3:34pm.
Roll Call: Chairman Raymond Welch, Tawnya Phoenix- Vice Chair, Danthia Gil- Secretary/Treasurer, Darla Boller- Member, & Melanie Villa- Member
Members Absent:
Others in attendance: Julie Cushman, Principal/Director, Nina Drammissi, Family Resource Coordinator, Samantha Orahood, LUSD; Lisa Davis, LUSD
2. **Closed Session** (3:30 PM)- Case Review/Planning (per Govt. Code Section 54954.5).
 Closed session began at 3:34pm.
3. **Closed Session Ends** - Closed session adjourned at 4:13pm.
4. **Regular Session** (4:00 PM) – Regular Session began at 4:14pm.
5. **Approval of Agenda**
Motion by Danthia, Second by Darla to approve the agenda. Carried 5, 0, 0.
6. **Approval of Minutes - January 23,2023**
 Motion by Danthia, Second by Darla to approve the agenda. Carried 5, 0, 0.
7. **Public Comment** – There was no request for public comment for Agenda.
8. **Action Items**
 - A. **Approval of 2nd Interim Budget Report-** This is the second of two interim budget reports required each year by state law. The Second Interim Budget Report was reviewed by the Board. Samantha Orahood and Lisa Davis summarized the key points. There was a difference from the LCFF related to a slight decline in ADA. The importance of attendance was discussed as it relates to ADA funding. Federal revenue showed an increase mainly due to COVID funds being used. Books and Supplies increased to reflect the purchase of the new school van. The Board approved the 2nd Interim Budget Report.

 Motion by Melanie, Second by Darla to approve the 2nd Interim Budget Report. Carried 5, 0, 0.
 - B. **Approval of Annual Audit-** The audit firm of Wilkinson Hadley King & Co. has audited the financial statements of Barona Indian Charter School, Inc. as of June 30, 2021, and the related statements of activities, functional expenses, and cash flows for the year then ended, and the related notes to the financial statements. The firm has no findings and no recommendations. Changes made are minor.

 Motion by Tawnya, Second by Melanie to approve the Annual Audit. Carried 5, 0, 0.

- C. Approval of 23-24 School Calendar-** The Board approved the next school year calendar. This calendar has been approved by BICS' teachers and staff. It aligns closely to the LUSD calendar.

Motion by Tawnya, Second by Darla to approve the 23-24 School Calendar.
Carried 5, 0, 0.

- D. Approval of Cleaning Costs-** The Board approved cleaning costs for the school which will include the months of March, April, May and June at \$2,400/month for a total cost of \$9,600.00. The monthly service will be billed to the school at the end of each month. Starting in July, the cost will be written into the lease agreement.

Motion by Tawnya, Second by Danthia to approve the additional Cleaning Cost.
Carried 5, 0, 0.

- E. Ratify the Purchase of a School Vehicle-** The Board ratified the purchase of a 2019 Ford 8 passenger Transit van that is being used to pick up lunches, transport students to school related events and other school needs. Total cost \$57,375.00 WE are in the process of getting bids to decal the van for advertising purposes.

Motion by Danthia, Second by Darla to ratify the purchase of a School Vehicle.
Carried 5, 0, 0.

- F. Ratify the Purchase of SAAS Mosaic Cloud Front of House/MySchoolApps Program-** The Board ratified the purchase of Mosaic and MySchoolApps program. This will ensure that we are regulation ready with comprehensive reporting tools to give you improved insight and adhere to federal and state requirements when filing claims and preparing for annual visits for the National School Lunch Program. The initial cost is \$4,698 and \$1,900 each year thereafter. Our new Campus Food Coordinator as well as support staff will be trained on the new program within the next few weeks.

Motion by Danthia, Second by Melanie to ratify the purchase of SAAS Mosaic Cloud Front of House/MySchoolApps Program.
Carried 5, 0, 0.

9. Reports- Principal Julie Cushman will report to the Board.

- New Hire – BICS welcomed our new Campus Food Coordinator, Lynette Elles. It was a great first day and she seems to be a good fit for our team.
- Read Across America – Another successful year. Thank you to Chairman Welch and other Board Members that took the time to read to our classes.
- Open Enrollment – March 3 was the first day for open enrollment for 2023-24 school year. Thanks to Dr. Felix, we now have online registration. We are also increasing our new marketing with signs, mailings and participation in community events. Melanie suggested having an open house for the Barona Community so they can see the good things happening at BICS.

- 5th/6th Grade – Mrs. Parsons’ class has been busy with an interactive presentation about historical figures. They also attended BizTown and had a fantastic time.
- Leprechaun Run – Our Leadership Club has planned a Leprechaun Run for St. Patrick’s Day. It will include a live leprechaun (Coach A.) that the students will “catch” to win coins.
- Cafeteria – We are in the process of information gathering for a possible cafeteria building. The most practical location would be the sand pit area in the back playground.
- Coffee with Cushman – The formation of a parent committee was discussed at the last meeting. Some parents have volunteered to serve as Class Parents to support the teachers and create a bridge to other parents.
- Science Night – We are planning a Science Night in May. Invites will be sent to the Board.

10. Discussion Items

- A. ACLU Record Request – Lisa Davis, LUSD, has submitted the information regarding the ACLU record request.

11. Organizational Business

- a. No Future agenda items and/or Board member comments were made.
- b. Upcoming meetings: April 24, June 20 (4:00 PM), June 26 (Budget)

No further business, by **Motion** of Danthia and Second by Darla.
The meeting was adjourned at 4:55pm. Motion carried 5, 0, 0.

Respectfully submitted by Kristi Johnson, Recording Secretary

Dr. Jeffrey Felix Consulting Agreement

This contract shall be effective on July 1, 2023 by and between the Barona Indian Charter School (“BICS”) with a mailing address of 1095 Barona Road, Lakeside, CA 92040 and Dr. Jeffrey Felix, with a mailing address of 640 Gardenia Glen, Escondido, CA 92025 herein referred to as “Consultant.”

1. *Scope of Work.* BICS hereby engages Consultant to mentor and assist the current Principal in her first year as the provider of administrative services, as the Principal deems necessary.

2. *Status of Consultant.* Under this contract, Consultant is an independent contractor, and not an employee. Consultant has received clearance from the Lakeside Union School District and will spend time both on and off-campus, as needed and agreed upon.

3. *Standards of Performance.* Consultant will perform his duties under this contract in accordance with applicable professional standards and practices for similar professionals in San Diego County, California.

4. *Compensation.* In consideration of the performance of his obligations under this contract, Barona will pay the Consultant, at the address specified above, or as the parties may agree, \$120 per hour, plus expenses, to be paid monthly upon receipt of Consultant’s invoice.

5. *Term.* This contract shall begin on July 1, 2023 and shall remain in effect until June 30, 2024.

6. *Termination.* Either party may terminate this contract for cause or convenience at any time by giving to the other party notice of his/its intention to do so. In the case of such termination, BICS will pay the Consultant such compensation as is due under the terms of this contract prior to such termination. BICS may withhold the last payment due to the Consultant until the Consultant returns any keys, equipment, or other BICS property in his possession. In case of such early termination by either party, BICS’ maximum liability will be to pay the Consultant the sums earned and due under the terms of this contract.

7. *Ownership and Use of Documents.* Any documents prepared or received by the Consultant in the performance of his duties pursuant to this contract are instruments of service, and shall be the property of BICS, to be returned to BICS upon termination of this contract.

8. *Notices.* Notices shall be provided as follows:

BICS:

Chairman
Barona Indian Charter School
1095 Barona Rd.
Lakeside, CA 92040
rwelch@barona-nsn.gov

Consultant:

Dr. Jeffrey Felix
640 Gardenia Glen
Escondido, CA 92025
jpfelix73@gmail.com

9. *Integration.* Except for any documents expressly incorporated herein, this contract is and contains the entire agreement between BICS and the Consultant.

“Consultant”:

Dated: _____
_____ Dr. Jeffrey Felix

Barona Indian Charter School

Raymond Welch, Board Chairman

Approved by Barona Indian Charter School Board on: _____

HARASSMENT, DISCRIMINATION, INTIMIDATION AND BULLYING PREVENTION POLICY
Compliant with the Safe Place to Learn Act

Ed Code § 234.1 requires schools to adopt a policy that prohibits discrimination, harassment, intimidation and bullying based on the actual or perceived characteristics set forth in Penal Code section 422.55 and Ed Code 220, including immigration status. Ed Code 231.5 requires schools to adopt a policy preventing sexual harassment. Ed Code section 234.7 requires schools adopt Model Policies relating to protections for students from immigration-enforcement and related discrimination based on immigration status and citizenship status. Please also see the policies on Admission and Enrollment (Student Policy 1), Educational Records and Student Information (Student Policy 5), Immigration Enforcement Policy (Student Policy 18), Detention and Deportation Policy (Student Policy 19) and Registration of Visitors/Guests (Facilities/Operations Policy 5) to ensure all the required information is included in your board adopted policies. All these requirements are in this document.

There are specific procedures that must be adopted for the broad policies contemplated by Ed Code section 234.1. This policy incorporates these procedures for all complaints, including a process that is in line with the UCP required by the CA Code of Regulations.

This policy is required to be posted in all schools and offices, including staff lounges and pupil government meeting rooms. This policy must also be publicized to pupils, parents, employees, agents of the school and the general public, and translated per Ed Code section 48985. The school must also provide to its certificated staff who serve pupils in 7 to 12th grade information on existing schoolsite and community resources related to the support of lesbian, gay, bisexual, transgender and questioning pupils, or related to the support of pupils who may face bias or bullying on the basis of religious affiliation, or perceived religious affiliation.

The school is also required to keep documentation of complaints and their resolution for a minimum of one CDE Compliance Monitoring cycle.

Allegations of sexual harassment by employees may be processed internally through the School's UCP, but may eventually be referred to the Dept of Fair Employment and Housing.

It is the policy of Barona Indian Charter School to create and maintain a learning environment where students and employees are treated with dignity, decency, and respect. It is also the policy of Barona Indian Charter School to maintain an environment that encourages and fosters appropriate conduct among all persons and respect for individual values. Accordingly, the School is committed to enforcing this Harassment, Discrimination, Intimidation and Bullying Prevention Policy at all levels in order to create an environment free from all forms of discrimination, harassment, intimidation and bullying. Discrimination, harassment, intimidation or bullying based on the following characteristics, whether actual or perceived: race, religious creed (including religious dress and grooming practices), color, national origin (including language use restrictions), immigration status, citizenship status, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex (including pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy or childbirth), gender, gender identity, gender expression, age, sexual orientation, military and veteran status, or association with a person or group with one or more of the aforementioned characteristics or any other legally protected category is unlawful and undermines the character and purpose of the School. Such discrimination, harassment, intimidation or bullying violates School policy and will not be

tolerated. This policy applies to anyone on campus at the School or those attending School sponsored activities.

Any form of retaliation against anyone who has complained or formally reported discrimination, harassment, intimidation or bullying or against anyone who has participated in an investigation of such a complaint, regardless of whether the complaint relates to the complaining person or someone else, will not be tolerated and violates this policy and the law.

If the School possesses information that could indicate immigration status, citizenship status or national origin information, the School shall not use the acquired information to discriminate against any students or families or bar children from enrolling in or attending school. If parents or guardians choose not to provide information that could indicate their or their children's immigration status, citizenship status or national origin information, the School shall not use such actions as a basis to discriminate against any students or families or bar children from enrolling or attending school.

Each year, the School shall educate students about the negative impact of bullying other students based on their actual or perceived immigration status or their religious beliefs or customs. The School shall also train teachers, staff and personnel to ensure that they are aware of their legal duty to take reasonable steps to eliminate a hostile environment and respond to any incidents of harassment based on the actual or perceived characteristics noted above. Such training shall provide School personnel with the skills to do the following:

- Discuss the varying immigration experiences among members of the student body and school community;
- Discuss bullying-prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims;
- Identify the signs of bullying or harassing behavior;
- Take immediate corrective action when bullying is observed; and
- Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior.

Definitions

Discrimination: Discrimination is adverse treatment of any person based on the protected class or category of persons to whom he/she belongs and such treatment limits students from participating or benefiting from school activities or services.

Harassment: Harassment is unwelcome verbal or physical conduct prohibited by law directed toward, or differential treatment of, a student because of his/her membership (or perceived membership) in any protected group or on any other prohibited basis. The harasser can be a student, a School official or employee, or someone who is not an employee of the School, such as a vendor or parent.

Examples of such conduct include, but are not limited to:

- Offensive or degrading remarks, verbal abuse, or other hostile behavior such as insulting, teasing, mocking, name calling, degrading, or ridiculing another person or group
- Racial slurs, derogatory remarks about a person's accent, or display of racially offensive symbols
- Unwelcome or inappropriate physical contact, comments, questions, advances, jokes epithets or demands
- Physical assault or stalking
- Displays or electronic transmission of derogatory, demeaning, or hostile materials
- Graphic and written statements, which may include use of cell phones or the Internet

Harassment does not have to include intent to harm, be directed at a specific target or involve repeated incidents. Harassment creates a hostile environment when the conduct is sufficiently severe, pervasive or persistent so as to interfere with or limit a student's ability to participate in or benefit from the services, activities or opportunities offered by the School.

Sexual Harassment: Sexual harassment is a form of harassment based on sex, including sexual harassment, gender harassment and harassment based on pregnancy, childbirth or related medical conditions. It generally involves unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser. The following is a partial list of violations:

- Unwanted sexual advances
- Offering educational benefits in exchange for sexual favors
- Making or threatening reprisals after a negative response to sexual advances
- Visual conduct: leering, making sexual gestures, displaying of suggestive objects or pictures, cartoons, or posters
- Verbal conduct: making or using derogatory comments, epithets, slurs, and jokes
- Verbal sexual advances or propositions
- Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, suggestive or obscene letters, notes or invitations
- Physical conduct: touching, assault, impeding or blocking movements

Intimidation: Intimidation includes adverse actions intended to fill another with fear, to overawe or cow, as through force of personality or by superior display of wealth, talent, etc., or to force another into or deter from some action by inducing fear.

Bullying: Bullying may take place in a variety of hostile acts that are carried out repeatedly over time. The acts involve a real or perceived imbalance of power, with the more powerful child or group attacking those who are less powerful. It may be physical (hitting, kicking, spitting, pushing), verbal (taunting, malicious teasing, name calling, threatening), or psychological (spreading rumors, manipulating social relationships, or promoting social exclusion, extortion, or intimidation). Bullying is any severe or pervasive action or conduct directed toward one or more students that have the effect of one or more of the following: 1) places a reasonable student in fear of harm to that student's person or property; 2) causes a reasonable student to experience a

substantially detrimental effect on his or her physical or mental health; 3) causes a reasonable student to experience substantial interference with his or her academic performance; 4) causes a reasonable student to experience interference with his or her ability to participate in or benefit from the services, activities or privileges provided by the School.

Other types of bullying:

- Sexual bullying includes many of the actions typical of bullying behavior with the added actions of exhibitionism, voyeurism, sexual propositioning, sexual harassment, and sexual abuse (touching, physical contact, sexual assault).
- Bias or hate-motivated bullying is a basic bias against or hate for a person or group. Examples include taunting one's race, religion, national origin, sexual orientation, or physical or mental disabilities. The bullying behavior may also be aggressive, antagonistic, and assaultive.
- Hazing is a form of aggressive behavior that usually involves intimidation and humiliation during an initiation for a student organization or body, club, group, or sports team. It may involve conduct that is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. Hazing does not include athletic events or school-sanctioned events.
- Cyberbullying involves bullying conduct that is created or transmitted by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer or pager communicating any of the following: 1) a message, text, sound, or image; 2) a post on a social network Internet Web site, including a "Burn Page," an impersonation of another student, and a false profile.
- Cyber sexual bullying involves dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more effects described in (1) – (4) above. A photograph or other visual recording 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.
- Social media bullying involves bullying through forums for social media, such as internet websites with free registration and ease of registration, internet websites offering peer-to-peer instant messaging (such as Snapchat, Tox, FireChat, Orbit, Bleep), internet websites offering comment forums (such as FaceBook, Twitter, Reddit) and internet websites offering image or video posting platforms (such as YouTube, Instagram, Twitch, Imgur).

Retaliation: Retaliation is any adverse action taken against a student because he or she filed a charge of harassment, discrimination, intimidation or bullying complaint to the School or another agency or participated in an investigation about the same (such as an internal investigation or lawsuit), including as a witness. Retaliation also includes adverse action taken against someone who is associated with the individual opposing the perceived harassment, discrimination, intimidation or bullying.

Reporting Discrimination, Harassment, Intimidation, Bullying or Retaliation

Any student who believes that he or she has been the victim of discrimination, harassment, intimidation, bullying or retaliation prohibited by this policy, or any student who has witnessed such discrimination, harassment, intimidation, bullying or retaliation, should immediately report the

circumstances in accordance with the procedure set forth below. The School will investigate any conduct that violates this policy, even in the absence of a complaint, and take remedial action where appropriate.

A student may make a complaint, written or oral, to any of the individuals listed below:

- Their teacher, school counselor or other school personnel
- The Principal/Director of the School

Complaints may be submitted to the Principal/Director by any of the following methods:

- By phone at 619-443-0948
- By email at info@mybics.org
- By mail at 1095 Barona Road, Lakeside, CA 92040

Any teacher, school counselor or other school employee that receives any complaints of misconduct, or personally observes, learns about from others, or reasonably suspects has occurred, shall report the same to the Principal/Director, so that the School may attempt to resolve the claim internally. Any School personnel that witness an act of discrimination, harassment, intimidation, bullying or retaliation shall take immediate steps to intervene when it is safe to do so.

Investigation and Disposition of Complaints

The School will conduct a prompt, thorough and impartial investigation that provides all parties appropriate due process and reaches reasonable conclusions based on the evidence collected. The investigation, conducted by a qualified investigator(s) (who may be a School employee), will include an interview with the alleged student-victim and his/her parent(s)/guardian(s). It may also include interviews with the person who made the initial report, the complainant (if not the alleged victim), the alleged wrongdoer and/or any other person who may have information regarding the incident, each of whom are encouraged to cooperate with any investigation. The investigator may also review any relevant documents.

The School will endeavor to complete its investigation within thirty (30) days of a report of discrimination, harassment, intimidation, bullying or retaliation.

Confidentiality of the complaint and investigation will be kept by the School to the extent possible, but note that the investigation will not be completely confidential. The School shall ensure confidentiality with respect to a student's or family's immigration status.

The investigator (if a third party) will report his/her findings to the Principal/Director and/or Board of Directors. Where the investigator concludes that a violation of this policy has occurred, the Principal/Director and/or Board of Directors will take prompt and appropriate remedial action, including disciplinary action. Depending upon the circumstances, disciplinary action may include, but is not limited to suspension and/or recommendation for expulsion. Discipline for a violation of this policy is not progressive, so a first violation of this policy may warrant suspension or a recommendation for expulsion.

Every complaint will trigger the creation of an investigatory file. The investigatory file will consist of the initial complaint, the final investigative report, including a record of the remedial action to be taken, if any, and all documents created, used, or reviewed during the investigation.

At the conclusion of the investigation, the Principal/Director shall notify the complainant of the way it has resolved the matter. If, within 30 days after notification of resolution, the complainant does not agree with the resolution, the complainant may appeal the matter to the Board of Directors of the School by filing a notice of appeal stating the reasons for the appeal and specific disagreement with the School's resolution of the complaint. The Board of Directors will provide the student with a final decision of the School's resolution 5 days after the Board of Directors' next regularly scheduled board meeting. If the student does not agree with the final determination of the Board of Directors, the student may appeal to the California Department of Education using the appeal process adopted in the School's Uniform Complaint Procedures.

Parental Notification:

Each year, the School shall notify parents and guardians of their children's right to a free public education, regardless of immigration status or religious beliefs. This information shall include information related to the "Know Your Rights" immigration enforcement established by the California Attorney General. The School shall also inform students who are the victims of hate crimes of their right to report such crimes.

Sexual Harassment Poster

The School shall create a poster that notifies pupils of the applicable written policy on sexual harassment. The poster shall display, at a minimum, all of the following: 1) The rules and procedures for reporting a charge of sexual harassment; 2) The name, phone number and email address of an appropriate school official to contact to report a charge of sexual harassment; 3) The rights of the reporting pupil, the complainant, and the respondent and the responsibilities of the School in accordance with the School's written policy on sexual harassment.

This poster will be prominently and conspicuously displayed in each bathroom and locker room at the schoolsite. It may be prominently and conspicuously displayed in public areas at the schoolsite that are accessible to, and commonly frequented by students, including, but not limited to classrooms, classroom hallways, gymnasiums, auditoriums, and cafeterias. The governing board of the School shall have full discretion to select the appropriate public areas to display the poster at the schoolsite.

Posting

This policy shall be posted on the School's internet website in a manner that is easily accessible to parents/guardians/students.

Adopted:

Amended:

SUICIDE PREVENTION POLICY

Why adopt a policy on Suicide Prevention?

Education Code section 215 mandates that all local educational agencies serving pupils in grades 7 to 12 adopt a policy on suicide prevention at a regularly scheduled meeting. It also requires charter schools serving kindergarten and grades 1-6 to adopt at a regularly scheduled meeting, a policy on pupil suicide prevention. At a minimum, every fifth year, the school shall review its policy and, if necessary, update its policy.

According to the Centers for Disease Control and Prevention (CDC), suicide is the second leading cause of death among young people aged 10-24. The CDC also reports that 17% of high school students have seriously considered attempting suicide – and 8% had attempted suicide – in the prior 12 months. Certain students are at higher risk of suicide, including those with disabilities, with mental health or substance abuse disorders, in foster care, and those who are lesbian, gay, bisexual, transgender, or questioning. Students who are bereaved by suicide are also at greater risk. School personnel who interact with students daily are in a prime position to recognize warning signs of suicide and make appropriate referrals.

In recent years, traditional schools have been sued for negligence for the following reasons: failure to notify parents if their child appears to be suicidal, failure to get assistance for a student at risk of suicide and failure to adequately supervise a student at risk of suicide.

According to Education Code section 215, the exact policy shall be developed in consultation with school and community stakeholders, school-employed mental health professionals, and suicide prevention experts and shall, at a minimum, address procedures relating to suicide prevention, intervention, and postvention.

The kindergarten and grades 1 to 6 policy shall be age appropriate and shall be delivered and discussed in a manner that is sensitive to the needs of young pupils. It shall also be written to ensure proper coordination and consultation with the county mental health plan if a referral is made for mental health or related services on behalf of a student who is a Medi-Cal beneficiary.

The policy is required to specifically address the needs of high-risk groups, including, but not limited to, all the following: 1) Youth bereaved by suicide; 2) Youth with disabilities, mental illness, or substance use disorders; 3) Youth experiencing homelessness or youth in out-of-home settings, such as foster care; 4) Lesbian, gay, bisexual, transgender, or questioning youth.

The policy shall also address any training on suicide awareness and prevention to be provided to teachers of students in all of the grades served by the School. Materials approved by the school for training shall include how to identify appropriate mental health services, both at the school site and within the larger community, and when and how to refer youth and their families to those services. The approved training materials may also include programs that can be completed through self-review of suitable suicide prevention materials.

On or before January 1, 2025, the school shall revise its training materials to incorporate best practices identified by the California Department of Education in its model policy. Beginning the 2024-25 school year, schools are encouraged to provide suicide awareness and prevention training to teachers of students in all the grades served.

The policy shall be written to ensure that a school employee acts only within the authorization and scope of the employee's credential or license. Nothing shall be construed as authorizing or encouraging a school employee to diagnose or treat mental illness unless the employee is specifically licensed and employed to do so.

The Governing Board recognizes that suicide is a leading cause of death among youth and that school personnel who regularly interact with students are often able to recognize the warning signs of suicide and to offer appropriate referral and/or assistance. To attempt to reduce suicidal behavior and its impact on students and families, the Principal/Director or designee shall develop measures and strategies for suicide prevention, intervention, and postvention, to be adopted by the Governing Board at a regularly scheduled board meeting.

The purpose of this policy is to protect the health and well-being of all district students by having procedures in place to prevent, assess the risk of, intervene in, and respond to suicide.

In developing policies for use by the School for grades 7 to 12, the Principal/Director or designee shall consult with school and community stakeholders, school health professionals, and suicide prevention experts.

In developing policies for use by the School for kindergarten and grades 1 to 6, the Principal/Director or designee shall consult with school and community stakeholders, the county mental health plan, school mental health professionals and suicide prevention experts. This policy shall be age appropriate and delivered and discussed in a manner that is sensitive to the needs of young students. The policy shall also ensure proper coordination and consultation with the county mental health plan if a referral is made for mental health or related services on behalf of a student who is a Medi-Cal beneficiary.

The policy shall specifically address the needs of high-risk groups, including, but not limited to, all of the following: (A) Youth bereaved by suicide. (B) Youth with disabilities, mental illness, or substance use disorders. (C) Youth experiencing homelessness or in out-of-home settings, such as foster care. (D) Lesbian, gay, bisexual, transgender, or questioning youth.

The policy shall also address any training on suicide awareness and prevention to be provided to teachers of pupils in all the grades served by the local educational agency. Materials approved by a local educational agency for training shall include how to identify appropriate mental health services, both at the school site and within the larger community, and when and how to refer youth and their families to those services. Materials approved for training may also include programs that can be completed through self-review of suitable suicide prevention materials.

The policy shall be written to ensure that a school employee acts only within the authorization and scope of the employee's credential or license. Nothing in this section shall be construed as authorizing or encouraging a school employee to diagnose or treat mental illness unless the employee is specifically licensed and employed to do so.

The School's governing board shall review its policy on pupil suicide prevention at a minimum of every fifth year and, if necessary, update its policy.

WEB SITES

K–12 Toolkit for Mental Health Promotion and Suicide Prevention

<http://www.heardalliance.org/wp-content/uploads/HEARDToolkit2017.pdf>

Trevor Project: <https://www.thetrevorproject.org/wp-content/uploads/2017/09/District-Policy.pdf>

U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration: <http://www.samhsa.gov>

BOARD GOVERNANCE

Board Policy #15

TITLE IX SEXUAL -HARASSMENT POLICY AND GRIEVANCE PROCEDURES

Title IX is a federal civil rights law that protects people from discrimination based on sex in education programs or activities that receive federal financial assistance. While many associate Title IX strictly with equity in access to sports and facilities irrespective of sex, it also applies to sexual harassment, including sexual violence.

Title IX regulations found in 34 C.F.R. Part 106 require extensive standards and grievance procedures for complaints of sexual harassment. This Title IX policy is intended to comply with those standards and procedures. The Title IX regulations apply to complaints of sexual harassment made by employees or by students.

Title IX regulations define sexual harassment more narrowly than the school's code of conduct or employee handbook. Some complaints of sexual harassment will not fall within the sexual harassment definitions of Title IX's regulations but will fall within the sexual harassment definitions within the student code of conduct or employee handbook. Each complaint a school receives alleging sexual harassment should be examined to determine which grievance procedures need to be followed. Some complaints might implicate multiple grievance procedures.

Definitions

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

Actual knowledge means notice of sexual harassment or allegations of sexual harassment to the School's Title IX Coordinator or any official of the School who has authority to institute corrective measures on behalf of the School, or to any other employee. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only official of the School with actual knowledge is the individual accused of harassment ("Accused"). The mere ability or obligation to report sexual harassment or to inform a student about how to report sexual harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of the School. "Notice" as used in this paragraph includes, but is not limited to, a report of sexual harassment to the Title IX Coordinator as described in 34 C.F.R. § 106.8(a).

Complainant means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

"Education program or activity" includes locations, events, or circumstances over which the School exercised substantial control over both the accused and the context in which the sexual harassment occurs.

Formal complaint means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against an accused and requesting that the School investigate the allegation of sexual harassment. At the time of filing a formal complaint, a complainant must be

participating in or attempting to participate in the education program or activity of the School with which the formal complaint is filed. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information required to be listed for the Title IX Coordinator, and by any additional method designated by the School.

The phrase “*document filed by a complainant*” means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the School) that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party.

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

Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

- (1) An employee of the School conditioning the provision of an aid, benefit, or service of the School on an individual's participation in unwelcome sexual conduct;
- (2) 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 School's education program or activity; or
- (3) “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).

Supportive measures means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the accused before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the School's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the School's educational environment, or deter sexual harassment. Supportive measures may include 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 or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The School must maintain as confidential any supportive measures provided to the complainant or accused, to the extent that maintaining such confidentiality would not impair the ability of the School to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

General Response to Sexual Harassment

If the School has actual knowledge of sexual harassment in an education program or activity of the School against a person in the United States, the School must respond promptly in a manner that is not deliberately indifferent. A School is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.

A School's response must treat complainants and respondents equitably by offering supportive measures to a complainant, and by following a grievance process that complies those processes identified herein before the imposition of any disciplinary sanctions or other actions that are not supportive measures against an accused.

The Title IX Coordinator must promptly contact the complainant to discuss the availability of supportive measures, 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, and explain to the complainant the process for filing a formal complaint.

Response to a Formal Complaint

In response to a formal complaint, a School must follow a grievance process outlined below. With or without a formal complaint, a School must comply with the School's General Response to Sexual Harassment process identified above.

Emergency Removal

The School may remove an accused from the School's education program or activity on an emergency basis, provided that the School 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 provides the accused with notice and an opportunity to challenge the decision immediately following the removal.

Administrative Leave

The School may place an accused non-student employee on administrative leave during the pendency of a grievance process identified below.

Grievance Process for Formal Complaints of Sexual Harassment

Discrimination on the Basis of Sex

The School's treatment of a complainant or an accused in response to a formal complaint of sexual harassment may constitute discrimination on the basis of sex under title IX.

Grievance Process Generally

The School shall treat complainants and those accused equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the accused, and by following a grievance process that complies with this policy before the imposition of any disciplinary sanctions or other actions that are not supportive measures against an accused. Remedies are to be designed to restore or preserve equal access to the School's education program or activity. Such remedies may include the same individualized services described above as "supportive measures"; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the accused.

The School shall require an objective evaluation of all relevant evidence—including both inculpatory and exculpatory evidence—and provide that credibility determinations may not be based on a person's status as a complainant, accused, or witness.

Title IX Coordinator. Any individual designated by the School as a Title IX Coordinator, investigator, decision-maker, or any person designated by the School to facilitate an informal resolution process, shall not have a conflict of interest or bias for or against complainants or those accused generally or an individual complainant or accused. The School shall ensure that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, receive training on the definition of sexual harassment, the scope of the School's education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. The School shall ensure that decision-makers receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, as set forth below. The School also shall ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence, as set forth below. Any materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment.

Presumption. The School shall include a presumption that the accused is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

Time Frames. The School shall include reasonably prompt time frames for conclusion of the grievance process, including reasonably prompt time frames for filing and resolving appeals and informal resolution processes if the School offers informal resolution processes, and a process that allows for the temporary delay of the grievance process or the limited extension of time frames for good cause with written notice to the complainant and the accused of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

Disciplinary Sanctions and Remedies. Following the determination of responsibility, the School will provide remedies to the complainant that are designed to restore or preserve equal access to the School's education program or activity. These remedies may include the same individualized services that the school provided to the complainant as supportive measures, additional services, or different services. These remedies can be disciplinary or punitive and can burden the respondent. The School will take appropriate action to the respondent and will not restrict the Principal/Director's ability to tailor disciplinary sanctions to address specific situations.

Standard of Evidence. For all formal complaints of sexual harassment against students, employees, and faculty, the standard of evidence to be used to determine responsibility is preponderance of the evidence standard meaning the decision-maker must determine whether alleged facts are more likely than not to be true.

Appeals. Appeals are available after a complaint dismissal or after a final determination is made. Appeals can be made due to procedural irregularities in the investigation affecting the outcome, new evidence becoming available, or due to bias or a conflict of interest by Title IX personnel that may have affected the outcome. Appeal requests must be made within 30 days of the school's final

determination and include the rationale for the appeal. Parties will be given an opportunity to submit a written statement in support of or against the final determination. A new decision-maker will issue the final decision at the same time to each party.

Supportive Measures. The following supportive measures are available to complainants and those accused. Supportive measures available include 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.

Privileged Evidence. When making a determination of responsibility, the School will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

Notice of Allegations. When the School receives a formal complaint, the School will provide written notice to the parties who are known. Such written notice will contain the following:

- 1) Notice of the School's grievance process, including any informal resolution process;
- 2) Notice of the allegations of sexual harassment potentially constituting sexual harassment as defined above, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview.

Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known.

The written notice shall include a statement that the accused is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.

The written notice shall inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence. The written notice must inform the parties of any provision in the School's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of an investigation, the School decides to investigate allegations about the complainant or the accused that are not included in the notice provided above, the School must provide notice of the additional allegations to the parties whose identities are known.

Dismissal of a Formal Complaint: The School shall investigate the allegations in a formal complaint. If the conduct alleged in the formal complaint would not constitute sexual harassment as defined above even if proved, did not occur in the School's education program or activity, or did not occur against a person in the United States, then the School must dismiss the formal complaint with regard to that conduct for purposes of sexual harassment under title IX and implemented regulations; such a dismissal does not preclude action under another provision of the School's code of conduct.

The School may dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing: A complainant notifies the Title IX Coordinator in writing that the

complainant would like to withdraw the formal complaint or any allegations therein; the accused is no longer enrolled or employed by the School; or specific circumstances prevent the School from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon a dismissal described above, the School must promptly send written notice of the dismissal and reason(s) therefor simultaneously to the parties.

Consolidation of Formal Complaints. A School may consolidate formal complaints as to allegations of sexual harassment against more than one accused, or by more than one complainant against one or more accused, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. Where a grievance process involves more than one complainant or more than one accused, references in this policy to the singular “party,” “complainant,” or “respondent” include the plural, as applicable.

Investigation of a Formal Complaint. When investigating a formal complaint and throughout the grievance process, the School shall:

- 1) Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the School and not on the parties provided that the School cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the School obtains that party's voluntary, written consent to do so for a grievance process under this policy. If a student is under the age of 18, the School must obtain the voluntary, written consent of the student's parent/guardian/education rights holder.
- 2) Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.
- 3) Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
- 4) Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or the accused in any meeting or grievance proceeding. If the school chooses to have a live or virtual hearing, each party may have one advisor of their choice during the meeting, but the advisor may not speak on the party's behalf. Advisors may not raise objections or make statements or arguments during the live hearing.
- 5) Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate;
- 6) Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the School does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other

source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to completion of the investigative report, the School must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report. The School must make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination; and

7) Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to a hearing (if a hearing is required under this policy or otherwise provided) or other time of determination regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

Hearings.

After the School has sent the investigative report to the parties and before reaching a determination regarding responsibility, the School may hold a hearing or virtual hearing. The decision-maker(s) will afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the accused committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the accused and are offered to prove consent. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.

Determination Regarding Responsibility.

The decision-maker(s), who cannot be the same person(s) as the Title IX Coordinator or the investigator(s), must issue a written determination regarding responsibility applying the standard of evidence described above.

The written determination must include—

- 1) Identification of the allegations potentially constituting sexual harassment as defined above.
- 2) A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held.
- 3) Findings of fact supporting the determination.
- 4) Conclusions regarding the application of the School's code of conduct to the facts.
- 5) A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the School imposes on the accused, and whether remedies designed to restore or preserve equal access to the School's education program or activity will be provided by the School to the complainant; and
- 6) The School's procedures and permissible bases for the complainant and the accused to appeal.

The School shall provide the written determination to the parties simultaneously. The determination regarding responsibility becomes final either on the date that the School provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

The Title IX Coordinator is responsible for effective implementation of any remedies.

Appeals.

The School shall offer both parties an appeal from a determination regarding responsibility, and from the School's dismissal of a formal complaint or any allegations therein, on the following bases:

- 1) Procedural irregularity that affected the outcome of the matter;
- 2) 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
- 3) The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against a complainant or an accused generally or the individual complainant or accused that affected the outcome of the matter.

The School may offer an appeal equally to both parties on additional bases. Appeals are available after a complaint dismissal or after a final determination is made. Appeals can be made due to procedural irregularities in the investigation affecting the outcome, new evidence becoming available, or due to bias or a conflict of interest by Title IX personnel that may have affected the outcome. Appeal requests must be made within 30 days of the school's final determination and include the rationale for the appeal. Parties will be given an opportunity to submit a written statement in support of or against the final determination. A new decision-maker will issue the final decision at the same time to each party.

As to all appeals, the School shall:

- 1) Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;
- 2) Ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;
- 3) Ensure that the decision-maker(s) for the appeal complies with the conflict of interest and bias standards set forth above;
- 4) Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
- 5) Issue a written decision describing the result of the appeal and the rationale for the result; and
- 6) Provide the written decision simultaneously to both parties.

Informal Resolution. The School may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment consistent

with this policy. Similarly, the School may not require the parties to participate in an informal resolution process under this policy and may not offer an informal resolution process unless a formal complaint is filed. However, at any time prior to reaching a determination regarding responsibility the School may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that the School:

- 1) Provides to the parties a written notice disclosing: The allegations, the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;
- 2) Obtains the parties' voluntary, written consent to the informal resolution process; and
- 3) Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

Recordkeeping.

1) A School must maintain for a period of seven years records of—

(A) Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript of any hearing (if applicable), any disciplinary sanctions imposed on the accused, and any remedies provided to the complainant designed to restore or preserve equal access to the School's education program or activity;

(B) Any appeal and the result therefrom;

(C) Any informal resolution and the result therefrom; and

(D) All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The School must make these training materials publicly available on its website, or if the School does not maintain a website the School must make these materials available upon request for inspection by members of the public.

(ii) For each response to a formal complaint required by this policy, the School must create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the School must document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the School's education program or activity. If a School does not provide a complainant with supportive measures, then the School must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the School in the future from providing additional explanations or detailing additional measures taken.

Approve:

Amended:

**SUMMER IMPACT
Art Expo!
BICS Summer Learning Program
2023 Proposal**

Date: July 5th-July 31st

Time: Mondays-Thursdays 8:00am-12:00pm

(Teachers 7:30-12:30; Instructional time 8:00am - 12:00pm)

Funded by: Extended Learning Opportunities Grant (ELO)

Class Structure:

Mixed Aged Learning Bands using the following criteria:

- Recommended for retention
- Special Education/SST
- One or more grade levels behind
- Teacher Recommendation
- Unable to meet essential benchmarks for that grade level

Curriculum: Savvas Math (Intervention)/Reading A-Z

- Focus on math and ELA skill building

Nutrition Program: Breakfast & Morning Snack

Daily Structure:

- Early Morning Read Time in the Library (reading challenges)
- Morning Goal Meeting (SEL focus time)
- “Band” time (learning groups) w/Math and ELA focus,

Skills Practice Time:

Competency and Skills Focused Reading, Math and Writing

Project-based learning time

Creative Art Activities

Weekly Art Themes

Projects based

Weekly Kumeyaay-focused art instruction

Faculty/Staff

Supervisory: Julie Cushman (Principal)

Certificated Staff: 3

Classified Staff: 2