

Redwood Coast Montessori Board of Directors

793 K Street, Arcata, CA 95521 (Room 5)

Zoom Meeting Link:

(<https://us06web.zoom.us/j/83949283639?pwd=KecqjBr0hF75piX1N8kmqjluurBjFw.1>)

REGULAR MEETING

October 9, 2024 6:30 p.m.

AGENDA

A. CALL TO ORDER OF OPEN SESSION

B. OPEN SESSION: 6:30 P.M. LOCATION: REDWOOD COAST MONTESSORI, 793 K Street, Arcata, CA 95521

C. PUBLIC COMMENT

The public is invited to make announcements or comment on information to the Board that is relevant to the scope of authority of Redwood Coast Montessori. The Board may uniformly impose a time limit of 3 minutes to individual presentations to assure every subject is heard. By public law, the Board cannot take action on items not on the agenda.

D. GENERAL FUNCTION-CONSENT ITEMS– Approval w/ Single Motion:

Items listed under the Consent Agenda are considered to be routine and are acted on by the Board in one motion. There is no discussion of these items before the Board vote unless a member of the Board, staff, or public requests specific items be discussed and/or removed from the Consent Agenda. It is understood that the Administration recommends approval on all Consent Items.

1. Approval of Draft Minutes of September 11, 2024 Regular Meeting
2. Approval of new hires (classified)
 - a. Jessica Kurowski (Kg/TK aide)
 - b. Mykaela Chrismen (1:1 aide)
 - c. Robyn Pedersen (1:1 aide)

E. BUSINESS AND FINANCE - ITEMS FOR REPORT, DISCUSSION, AND POSSIBLE ACTION

1. Unaudited Actuals update
2. Stipend request form and stipend rates

F. SCHOOL FUNCTIONS - ITEMS FOR REPORT, DISCUSSION, AND POSSIBLE ACTION

1. Board Member
2. Williams Act Report
3. Title IX Policy
4. School Board Outreach – ad hoc committee report
5. Gender neutral bathrooms for Manila Campus
6. ADA concern (field trips)

G. STAFF AND DIRECTORS REPORTS - ITEMS FOR REPORT, DISCUSSION

1. Staff Report
2. Director Reports

H. FUTURE AGENDA ITEMS

ADJOURNMENT OF OPEN SESSION

NOTICE: Any writing, not exempt from public disclosure under Government Code Section 6253.5, 6254, 6254.3, 6254.7, 6254.15, 6254.16, OR 6254.22, which is distributed to all or a majority of the members of the governing board by any person in connection with a matter subject to discussion or consideration at an open meeting of the board is available for public inspection at the Redwood Coast Montessori School 1611 Peninsula Drive, Arcata, CA 95521. In compliance with Government Code section 54954.2(a) Redwood Coast Montessori will, on request make agendas available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Individuals who need this agenda in an alternative format or who need a disability-related modification or accommodation in order to participate in the meeting should contact Redwood Coast Montessori at 707-832-4194.

Redwood Coast Montessori Board of Directors
Regular Meeting

Zoom (<https://us06web.zoom.us/j/83073560631?pwd=d2xMRHN2bFRHY2w3Wng0NG5kdExNUT09>)

REGULAR MEETING

September 11, 2024 6:30 p.m.

MINUTES

A. CALL TO ORDER OF OPEN SESSION by Kim Bonine at 6:34 p.m.

- a. Present: Kim Bonine, Terry Weeks, Susann Goodman

B. PUBLIC COMMENT - No public comments

C. GENERAL FUNCTION

1. Approval of general consent items: M/S by Weeks/Goodman to approve the General Function-Consent Items. Board: ayes 3, noes 0. Motion carried.

D. BUSINESS AND FINANCE

1. Unaudited Actuals: M/S by Weeks/Goodman to approve the 2023-24 unaudited actuals report. Board: ayes 3, noes 0. Motion carried.
2. Stipend Request Form and Rates: No motion was made. The Board will resume this discussion at the October regular meeting.

E. SCHOOL FUNCTIONS

1. Williams Act update
2. WASC visit update
3. Discuss Board retreat
4. Workplace Violence Plan: M/S by Weeks/Goodman to approve the RCM Workplace Violence Protection Plan with the addition of the Arcata Elementary Superintendent as a contact person in case of a workplace violence emergency. Board: ayes 3, noes 0. Motion carried.

J. STAFF AND DIRECTOR REPORTS

1. Staff: Michelle and Bryan presented information about recent events that have been taking place at both campuses.
2. Directors: None

K. FUTURE AGENDA ITEMS

1. Staff stipends
2. Ad hoc reports (Board involvement/information meetings/campus visits)
3. Board positions
4. ADA compliance concern related to field trips (public comment)

L. ADJOURNMENT OF OPEN SESSION

M. CLOSED SESSION – M/S by Weeks/Goodman/Weeks to adjourn the September 11th regular meeting.. Board: ayes 3, noes 0. Motion carried at 7:46 p.m.

RCM School Board



Agenda Item: E1

Update regarding 2023-24 Unaudited Actuals

Department/Program:

School wide

Background Information:

Board member requested additional information regarding difference in Other State Resources.

Recommendation:

Receive information and discuss as needed

Fiscal Implications:

None

Contact Person:

Bryan Little

RCM School Board



Agenda Item: E2
RCM Staff Stipend Policy

Department/Program:
Business and Finance

Background Information:

During the May 2024 regular meeting, the board discussed the importance of reviewing staff stipends with the goal of standardizing the approach and possibly increasing the stipend rate for clubs/classes/activities. Staff has drafted a proposed tools to use as part of a RCM stipend policy.

Recommendation:

Hold discussion about stipend rates for RCM clubs/classes/activities and guidelines for future stipends. Provide guidance for any changes/additions to the draft stipend request document.

Fiscal Implications:

Potential increase in expenditures, which will come from base LCFF funding.

Contact Person:

Bryan Little

Redwood Coast Montessori

Stipend/Extra Duty Agreement

Employee Name: _____

Class/Activity Name: _____

Class/Activity Dates: _____

Stipend Amount: _____

Redwood Coast Montessori (RCM) and the Stipend Recipient agree that the Stipend Recipient, in addition to the duties of their regular RCM assigned position, will carry out the required duties under the authority of the RCM School Board and supervision of the Director or designee of the stipend.

The Stipend Recipient agrees to act in accordance with all applicable laws and regulations, as well as the terms described above.

Either party with or without cause may terminate this agreement by providing written notice to the other party. Further, the Stipend Recipient may be removed from their stipend duties at the discretion of the director or designee prior to the actual termination of this agreement. Termination of this agreement by either party shall not, in itself, constitute cause for termination of any separate teaching or employment contract between the Stipend Recipient and RCM.

Director/Site Supervisor

Date

Stipend Recipient Signature

Date



RCM Stipend Request Form

Stipend requests should be signed and submitted to the director after completion of the class.

Name: _____ **Date:** _____

Name of Class/Club/Activity: _____

Class Dates: ____/____/____ - ____/____/____
Begin Date End Date

Total Class Hours: _____ **Total Number of Students:** _____

Student Roster

No.	Student Name	No.	Student Name
1		13	
2		14	
3		15	
4		16	
5		17	
6		18	
7		19	
8		20	
9		21	
10		22	
11		23	
12		24	

Signature

Date

Additional Information

Administrative Signature

Date

Possible Extra Curricular Events Stipends

Type of event	Teaching Time per week	Prep Time	Overall Time commitment	Proposed stipend
Game club	1.5-3 hrs.	Minimal	Minimal	\$500/18 hrs. of class time
Homework club	1.5-3 hrs.	Minimal	Minimal	\$500/18 hrs. of class time
Coaching	4-5 hrs.	Moderate	Significant	\$650/season
Skills class/club	1.5-3 hrs.	Moderate to significant	Significant	\$650/18 hrs. of class time
Adolescent MMUN (travel)	2 hrs. (?)	Moderate to significant	Significant	\$2,000/yr.
Upper EI MMUN (online)	2 hrs. (?)	Moderate	Moderate	\$1,000/yr.
Leadership Team	N/A	Moderate to significant	Moderate to significant	\$750/yr.

RCM School Board



Agenda Item: F1

Approval new RCM School Board Member (Michelle Ellis)

Department/Program:

School wide

Background Information:

RCM currently has only 4 board members for the 5-person board.

Recommendation:

Approve Michelle Ellis as a new RCM Board Member

Fiscal Implications:

None

Contact Person:

Bryan Little

RCM School Board



Agenda Item: F2
Williams Report

Department/Program:
School wide

Background Information:

Beginning with the 2022-23 school year, RCM was placed on the Williams List. One of the requirements of the Williams legislation is that the Superintendent or designee conducts a visit to Redwood Coast Montessori and review curriculum, staffing, and facilities. This year, a Williams visit took place on September 6, 2024. In addition, the County Office of Education must submit quarterly reports regarding any additional visits or actions.

Recommendation:
Approve Williams Act Report

Fiscal Implications:
None

Contact Person:
Bryan Little

October 4, 2024

Redwood Coast Montessori
PO Box 6103
Eureka, CA 95501

Subject: 2024-2025 Williams Settlement Site Visit Report

Dear Redwood Coast Montessori Governing Board:

California Education Code Section 1240 requires that I, or HCOE staff on my behalf, visit schools identified in our county, review information in the areas noted below, and report to you the results of my visits and reviews. I am pleased to provide, for submission to the district's governing board at a regularly scheduled meeting, the annual report for fiscal year 2024-2025.

The purpose of the visit(s), as specified in California Education Code 1240, was to:

1. Determine if students have *sufficient* standards-aligned instructional materials;
2. Determine if there is any facility condition that *poses an emergency or urgent threat to the health or safety of pupils or staff*; and
3. Determine if the school has provided accurate data on the annual school accountability report card related to the sufficiency of instructional materials and the safety, cleanliness, and adequacy of school facilities, including "good repair."

The law further requires that I annually monitor and review teacher misassignments and teacher vacancies. This information is publicly reported on the California Statewide Assignment Accountability System (CalSAAS) platform.

Before proceeding with the report, let me define some basic terms:

- *Sufficient textbooks or instructional materials* means each pupil, including English language learners, has a standards-aligned textbook or instructional materials, or both, to use in class and to take home.
- A school facility condition that *poses an emergency or urgent threat* is a *condition that poses a threat to the health or safety of pupils or staff while at school*. *Good Repair* means the school facilities are clean, safe and functional as determined pursuant to the school Facility Inspection Tool (FIT).

Redwood Coast Montessori

Instructional Materials

As reported on the schoolwide Instructional Materials survey completed by site administration, and verified during the site visit on September 6, 2024, instructional materials were found to be sufficient.

School Facilities

HCOE staff reviewed the results of the FIT completed by school personnel and verified the accuracy of information reported. As reported on the school's annual FIT inspection, the school is in good repair with no conditions that pose an emergency or urgent threat to the health or safety of pupils or staff.

School Accountability Report Card

Information on the SARC was available on the website at the time of the visit and contained information for the required elements.

Teacher Misassignments

According to the 2021-24 Williams Case – Schools Eligible for Monitoring List, 18.2% of teachers were reported as misassigned. This data reflects teachers assigned during the 2020-21 school year.

Please extend to your administration and site staff my appreciation for their professionalism in addressing the compliance requirements for the Williams Settlement Legislation. If you need any clarification or assistance in regard to this report, please feel free to call me at (707) 445-7030.

Sincerely,



Michael Davies-Hughes
County Superintendent of Schools

cc: Bryan Little, Director
Humboldt County Board of Education
Humboldt County Board of Supervisors

RCM School Board



Agenda Item: F3
Title IX Policy

Department/Program:
School wide

Background Information:

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. Title IX regulations found in 34 C.F.R. Part 106 require extensive standards and grievance procedures for complaints of sex discrimination, including sex-based harassment. This Title IX policy is intended to comply with those standards. This policy leaves to the school the ability to develop the grievance procedures to be adopted by the school. The Title IX regulations apply to complaints of sex discrimination made by employees or by students.

On April 19, 2024, the U.S. Department of Education (“DOE”) finalized substantial changes to the Title IX regulations (“Final Rule”) governing how educational institutions must handle allegations of sex discrimination and sex- based harassment.

Recommendation:
Approve Title IX policy

Fiscal Implications:
None

Contact Person:
Bryan Little

TITLE IX SEXUAL HARASSMENT POLICY AND GRIEVANCE PROCEDURES

It is the policy of Redwood Coast Montessori to create and maintain an educational environment where employees and students are treated with dignity, decency and respect. Title IX of the Education Amendment Act of 1972 (“Title IX”) prohibits discrimination on the basis of sex, including sex-based harassment, in the Charter School’s education programs and activities. The Charter School does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX, including in admission and employment.

Sex discrimination can be discrimination on the basis of sex, including on the bases of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity. Any such behavior is a violation of the Charter School’s policies, and state and federal law. Any employee or student found to have engaged in sex discrimination may be disciplined including, but not limited to, suspension and expulsion for students and discipline up to termination for employees.

Definition of Sex-Based Harassment Under Title IX

Sex-based harassment is a form of sex-discrimination and means sexual harassment and other harassment on the basis of sex, including sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity that its either quid pro quo harassment or hostile environment harassment. Specific offenses of sex-based harassment include:

- Sexual assault
- Dating violence
- Domestic violence
- Stalking

Title IX Personnel/Parties

The Charter School’s Title IX Coordinator is Bryan Little, Director bryan@redwoodmontessori.org; 707-630-5018.

Investigator: The Title IX Coordinator may act as investigator of complaints of sex discrimination under Title IX. Alternatively, in the Title IX Coordinator’s discretion, the Title IX Coordinator may designate that role to another individual. In any event, the investigator shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. The role of the investigator is that of fact finder.

Decisionmaker: The Title IX Coordinator may also act as the decisionmaker of complaints of sex discrimination under Title IX. Alternatively, in the Title IX Coordinator’s discretion, the Title IX Coordinator may designate that role to another individual. In any event, the decisionmaker shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. The role of the decisionmaker is to evaluate evidence and make a determination regarding the formal complaint, including submitting a written determination of findings.

Complainants: The following person(s) have a right to make a complaint of sex discrimination, including complaints of sex-based harassment, requesting that the Charter School investigate and make a determination about alleged discrimination under Title IX: 1) A complainant; 2) A parent, guardian, or other authorized legal representative with the legal right to act on behalf of the complainant; and 3) The Title IX coordinator.

If the complaint involves sex discrimination other than sex based harassment, a complaint may be made by any student or employee or any person other than a student/employee who was participating or attempting to participate in the Charter School's education program or activity at the time of the alleged sex discrimination.

Sex Discrimination Under Title IX

Sex discrimination under Title IX means conduct on the basis of sex, including sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity that falls within one or more of the following categories:

- A Charter School employee, agent or other person authorized by the Charter School to provide an aid, benefit or service under the Charter School's education program or activity explicitly or impliedly conditioning the provision of a school aid, benefit, or service on an individual's participation in unwelcome sexual conduct;
- Unwelcomed sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe, pervasive, and objectively offensive that it limits or denies a person's ability to participate in or benefit from the Charter School's education program or activity;
- Whether a hostile environment has been created is a fact specific inquiry that includes consideration of many factors identified in 34 C.F.R. § 106.2.

Reporting Allegations of Sex Discrimination

All employees who are not confidential employees are required to notify the Title IX Coordinator when the employee has information about conduct that may constitute sex discrimination under Title IX or its implementing regulations.

Employees, students and/or their parent/guardian/caregiver, may report sex discrimination to the Charter School's Title IX Coordinator, or to any other Charter School employee, who shall inform the Title IX Coordinator of that complaint.

Complaints may be made in writing, orally, via email, telephone or by any other means reasonably contemplated to result in the complaint reaching the Charter School's Title IX Coordinator.

Title IX Coordinator Responsibilities

The Title IX Coordinator will take the following actions when notified of conduct that reasonably may constitute sex discrimination under Title IX or its implementing regulations:

- Treat the complainant and respondent equitably;
- Offer and coordinate supportive measures, as appropriate, for the complainant. If the grievance procedures identified herein are initiated or if an informal resolution process

has been offered to the respondent, offer and coordinate supportive measures, as appropriate, for the respondent;

- Notify the complainant, or if the complainant is unknown, the individual who reported the conduct, of the grievance procedures and the informal resolution process, if available and appropriate;
- Monitor the School's education program or activity for barriers to reporting information about conduct that reasonably may constitute sex discrimination under Title IX or its implementing regulations, and take steps reasonably calculated to address such barriers
- If a complaint is made, notify the respondent of the grievance procedures and informal resolution process, if available and appropriate.

Procedures

The Charter School's Title IX grievance or complaint procedures apply only to conduct that falls within the definition of sex discrimination under Title IX. Other allegedly offensive conduct may not fall within this process, but may be investigated and handled through other complaint procedures. In order to evaluate which complaint procedures apply, the Title IX Coordinator shall review the complaint to determine if the conduct falls within the definition of sex discrimination under Title IX and its implementing regulations. If a complaint falls within both the Title IX definition and within the definition of complaint subject to the Uniform Complaint Procedure, both processes may be followed. Please contact Bryan Little to understand all of the School's complaint process options.

Response to an Informal Complaint

Upon receipt of a report of sex discrimination without a formal written complaint, the Title IX Coordinator will offer and coordinate supportive measures for the complainant and explain to the complainant (or other person reporting the behavior) the right and process to file a formal complaint.

In the event there is no formal complaint, the Title IX Coordinator shall determine whether to initiate a complaint of sex discrimination that complies with the complaint procedures identified herein. This determination need not be made if the Title IX Coordinator reasonably determines that the conduct as alleged could not constitute sex discrimination under Title IX or its implementing regulations.

In making this determination, the Title IX Coordinator shall consider the following, within 20 days of receiving an informal complaint:

- 1) The complainant's request not to proceed with initiation of a complaint;
- 2) The complainant's reasonable safety concerns regarding initiation of a complaint;
- 3) The risk that additional acts of sex discrimination would occur if a complaint is not initiated;
- 4) The severity of the alleged sex discrimination, including whether the discrimination, if established, would require the removal of a respondent from campus or imposition of another disciplinary sanction to end the discrimination and prevent its recurrence;
- 5) The age and relationship of the parties, including whether the respondent is an employee of the Charter School;

- 6) The scope of the alleged sex discrimination, including information suggesting a pattern, ongoing sex discrimination, or sex discrimination alleged to have impacted multiple individuals;
- 7) The availability of evidence to assist a decisionmaker in determining whether sex discrimination occurred; and
- 8) Whether the Charter School could end the alleged sex discrimination and prevent its recurrence without initiating its complaint procedures.

After consideration, if the Title IX Coordinator determines that the conduct as alleged presents an imminent and serious threat to the health or safety of the complainant or other person, or that the conduct as alleged prevents the Charter School from ensuring equal access on the basis of sex in its education program or activity, the Title IX Coordinator may initiate a complaint.

Regardless of whether a complaint is initiated, the Charter School shall take other appropriate prompt and effective steps to ensure that sex discrimination does not continue to continue or recur within the Charter School's education program or activity.

A formal complaint means an oral or written request to the Charter School that objectively can be understood as a request for the Charter School to investigate and make a determination about alleged discrimination under Title IX or its implementing regulations. The Title IX Coordinator may request the complainant to fill out a formal complaint form in order to initiate a formal complaint, although that formality is not required.

Supportive Measures

Supportive measures are non-disciplinary and nonpunitive and shall be available at any time during a Title IX investigation. These may include, but are not limited to, counseling, extensions of deadlines and other course-related adjustments, campus escort services, increased security and monitoring of certain areas of the campus, restrictions on contact applied to one or more parties, leaves of absence, changes in class, work, or extracurricular or any other activity regardless of whether there is or is not a comparable alternative, training and education programs related to sex-based harassment.

The complainant or respondent shall have a timely opportunity to seek, from an appropriate and impartial employee, modification or reversal of the Charter School's decision to provide, deny, modify, or terminate supportive measures applicable to them. A party will also be provided the opportunity to seek additional modifications or termination of a supportive measure if circumstances change materially.

The Charter School will not disclose information about any supportive measures to persons other than the person to whom they apply, unless necessary to provide the supportive measure or restore or preserve a party's access to the education program or activity, or when a legal exception applies.

If a complainant or respondent is a student with a disability, the Title IX Coordinator will consult with one or more members, as appropriate, of the student's Individualized Education Program (IEP) team, if any, or one or more members, as appropriate, of the group of persons responsible for the student's placement decision to determine how to comply with the requirements of the

Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act, throughout the School's implementation of supportive measures.

Response to a Formal Complaint

In response to a formal complaint, the Title IX Coordinator confirm, in writing as described below, the receipt of the complaint and will determine whether the allegations fall within the definition of sex discrimination under Title IX. If so, the Title IX Coordinator will follow this policy to resolve the complaint. If it does not, the Title IX Coordinator will either dismiss the complaint, or refer the complaint to a different division with the Charter School to handle the complaint, such as through the school's Uniform Complaint Procedures.

The Title IX Coordinator will initiate an investigation, by identifying an investigator and/or decisionmaker. A written decision shall be issued within sixty (60) calendar days receipt of the formal complaint.

If a complainant or respondent is a student with a disability, the Title IX Coordinator will consult with one or more members, as appropriate, of the student's Individualized Education Program (IEP) team, if any, or one or more members, as appropriate, of the group of persons responsible for the student's placement decision to determine how to comply with the requirements of the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act, throughout the School's implementation of grievance procedures.

Emergency Removal: The School may remove an accused from the School's education program or activity on an emergency basis, provided that the School first undertakes an individualized safety and risk analysis, determines that an imminent and serious threat to the health or safety of any student or other individual arising from the allegations of sex discrimination justifies removal, and provides the accused with notice and an opportunity to challenge the decision immediately following the removal.

If the respondent is an employee, the employee may be placed on administrative leave during the formal investigative process. If the respondent is a student, state and federal laws may impose additional procedural requirements for removal.

Written Notice of the Formal Complaint

Within 10 calendar days of the receipt of the formal complaint, the Title IX Coordinator shall provide the parties with a notice of the formal complaint. The notice shall include: (1) a copy of this Policy; (2) the identities of the parties involved in the incident; (3) the conduct alleged to constitute sex discrimination under Title IX and its implementing regulations; and (4) the date(s) and location(s) of the alleged incident(s), (5) a statement that the parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or an accurate description of this evidence, and if the Charter School provides a description of the evidence, the parties are entitled to an equal opportunity to access to the relevant and not otherwise impermissible evidence upon the request of any party; and (6) a statement that retaliation is prohibited.

During the Grievance Process:

Investigation

The investigator will review the complaint and other submitted evidence, gather additional evidence, and interview witnesses or parties. The investigator may also offer, modify or terminate supportive measures.

The investigation shall be adequate, reliable, and impartial. To do so, the Charter School shall: 1) ensure that the burden is on the Charter School to conduct the investigation that gathers sufficient evidence to determine whether sex discrimination occurred; 2) provide an equal opportunity for the parties to present fact witnesses and other inculpatory or exculpatory evidence that are relevant or not otherwise impermissible; and 3) review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance, and consistency with implementing regulations.

The investigator shall provide the parties with the opportunity to review the relevant and not otherwise impermissible evidence (or an accurate description of the evidence) that is directly related to the allegations raised in the formal complaint. If provided with an accurate description of the evidence, the School will further provide the parties with an equal opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party.

Thereafter, the parties will have a period of seven calendar days to review the evidence (or description thereof), respond, ask the investigator additional questions, and provide or suggest additional evidence to be considered by the investigator. The School will also take steps to prevent and address the parties' unauthorized disclosure of information and evidence obtained solely through the grievance procedures

The investigator/decisionmaker will question the parties and witnesses initially, and may reach out to the parties and witnesses again after its first initial round of questions. The investigator/decisionmaker may determine whether to question the parties and/or witnesses in person or remotely with the goal that the questioning must provide the opportunity to adequately assess a party's or witness's credibility to the extent that it is both in dispute and relevant to evaluating one or more allegations of sex discrimination.

If, in the course of the investigation, the School decides to investigate additional allegations of sex discrimination by the accused toward the complainant that are not included in the initial notice identified above or that are included in a complaint, the School will provide notice of the additional allegations to the parties whose identities are known.

Presumption: There is a presumption that the accused is not responsible for the alleged conduct until a determination is made at the conclusion of the grievance process.

Extension of Time Frames: While the School endeavors to complete the grievance procedure within the time lines included in this policy, the Charter School may notify the parties of the need for a reasonable extension of time on a case-by-case basis for good cause during any of the major stages of the process, including during evaluation, investigation, determination, and appeal. Additionally, if one of the parties involved requests a reasonable extension of time for cause, the Charter School shall, on a case-by-case basis, reasonably consider such request.

Privacy: The Charter School shall take steps to protect the privacy of the parties and witnesses during the pendency of the grievance procedures, provided that the parties must be able to obtain and present evidence, including speaking to witnesses, consulting with their family members, confidential resources or advisors, or otherwise preparing for and participating in the grievance procedures.

Evaluation: The Charter School's investigator or decisionmaker shall evaluate all evidence that is relevant and not otherwise impermissible, including both inculpatory and exculpatory evidence, and provide that credibility determinations are not based on a person's status as a complainant, respondent, or witness. The following evidence, and questions seeking that evidence, are impermissible:

- Evidence protected under a privilege as recognized by Federal or State law or evidence provided to a confidential employee, unless the privilege or confidentiality has been voluntarily waived;
- A party's or witness's records that are made or maintained by a physician, psychologist or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless the Charter School obtains that party's or witness's voluntary, written consent for use in the grievance procedures;
- Evidence that relates to the complainant's sexual interests or prior sexual conduct, unless evidence about the complainant's prior sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the complainant's prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the complainant and respondent does not by itself demonstrate or imply the complainant's consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred.

Sex Based Harassment Only: For complaints alleging sex-based Harassment only, the following supportive measures are available to complainants and respondents: Changes in class or work schedule, changes in coworker details, no contact directives, and additional options as needed. In addition, the following reflect the range of possible disciplinary sanctions and remedies the School may implement if sex-based harassment has occurred: censure, probation, suspension, expulsion, and dismissal.

Standard of Evidence: For all formal complaints of sex discrimination, the School shall use the preponderance of the evidence standard of proof. The decisionmaker shall evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the decisionmaker is not persuaded under the standard of proof, the decisionmaker must not determine that sex discrimination occurred.

Dismissal of a Formal Complaint:

The School shall investigate the allegations in a formal complaint and may dismiss a complaint of sex discrimination for any of the following reasons:

- The School is unable to identify the respondent after taking reasonable steps to do so;

- The respondent is not participating in the School’s education program or activity and is not employed by the School;
- The complainant voluntarily withdraws any or all of the allegations in the complaint, the Title IX Coordinator declines to initiate a complaint, and the School determines that, without the complainant’s withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute sex discrimination under Title IX or its regulations even if proven; or
- The School determines the conduct alleged in the complaint, even if proven, would not constitute sex discrimination under Title IX or its regulations.

Prior to dismissing the complaint, the School must make reasonable efforts to clarify the allegations with the complainant. Upon dismissal, the School will promptly notify the complainant of the basis for the dismissal. If the dismissal occurs after the respondent has been notified of the allegations, then the School will also notify the respondent of the dismissal and the basis for the dismissal promptly following notification to the complainant or simultaneously if the notification is in writing.

Consolidation of Formal Complaints. A School may consolidate formal complaints as to allegations of sex discrimination against more than one respondents, or by more than one complainant against one or more respondents, or by one party against another party, when the allegations of sex discrimination 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.

Determination Whether Sex Discrimination Occurred.

Following the investigation and evaluation of all relevant and not otherwise impermissible evidence, the School will notify the parties in writing of the determination whether sex discrimination occurred under Title IX or its implementing regulations, including the rationale for such determination, and the procedures and permissible bases for the complainant and respondent to appeal, if applicable.

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.

If there is a determination that sex discrimination occurred, the Title IX Coordinator is responsible for coordinating the provision and implementation of remedies to a complainant and other persons the School identifies as having had equal access to the School’s education program or activity limited or denied by sex discrimination, coordinate the imposition of any disciplinary sanctions on a respondent, including notification to the complainant of any such disciplinary sanctions, and other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the School’s education program or activity.

The School will not discipline a party, witness, or others participating in the School’s grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on the School’s determination whether sex discrimination occurred.

If the School dismisses the complaint, it will offer supportive measures to the complainant as appropriate and, if the respondent has been notified of the allegations, offer supportive measures to the respondent as appropriate.

Appeals

Upon dismissal of a complaint, the School will notify the complainant that a dismissal may be appealed and provide the complainant with an opportunity to appeal the dismissal on the bases set out below. If the dismissal occurs after the respondent has been notified of the allegations, then the School will notify the respondent that the dismissal may be appealed.

If the dismissal is appealed, the School will:

- Notify the parties of any appeal, including notice of the allegations as required above if notice was not previously provided to the respondent
- Implement appeal procedures equally for the parties
- Ensure that the decisionmaker for the appeal did not take part in an investigation of the allegations or dismissal of the complaint
- Ensure that the decisionmaker has been trained
- Provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome
- Notify the parties of the result of the appeal and the rationale for the result

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

- 1) Procedural irregularity that would change the outcome of the matter;
- 2) New evidence that would change the outcome and that was not reasonably available at the time when the determination whether sex discrimination occurred or dismissal was made; 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 would change the outcome of the matter.

The School may offer an appeal equally to both parties on additional bases: Is the severity or proportionality of sanctions an appropriate basis for an appeal? Can a party request an appeal because of dissatisfaction with the result?

Is there a way to appeal an appeal?

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

At any time prior to determining whether sex discrimination occurred, the Charter School may offer to a complainant and respondent a voluntary informal resolution process, unless the complaint includes allegations that an employee engaged in sex based harassment of a student or if such process would conflict with Federal, State or local law. If the Charter School determines the alleged conduct would present a future risk of harm to others, it may decline to allow informal resolution. If an information resolution is followed, the Title IX Coordinator must, to the extent necessary, take other appropriate prompt and effective steps to ensure that sex discrimination does not continue to recur within the Charter School's education program or activity. Such specific steps will be taken depending upon the facts of each case.

The School has discretion to determine whether it is appropriate to offer an informal resolution process when it receives information about conduct that reasonably may constitute sex discrimination under Title IX or its implementing regulations or when a complaint of sex discrimination is made, and may decline to offer information resolution despite one or more of the parties' witnesses. This decision may be made if the School determines that the alleged conduct would present a future risk of harm to others.

The School shall not require or pressure the parties to participate in an informal resolution process.

Before initiation of an informal resolution process, the Charter School shall provide notice to the parties that explains: 1) the allegations; 2) the requirements of the informal resolution process; 3) that, prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and to initiate or resume the complaint procedures; 4) that the parties' agreement to a resolution at the conclusion of the informal resolution process would preclude the parties from initiating or resuming complaint procedures arising from the same allegations; 5) the potential terms that may be requested or offered in an informal resolution agreement, including notice that an informal resolution agreement is binding only on the parties; and 6) what information the Charter School will maintain and whether and how the Charter School could disclose the information for use in a complaint procedure if complaint procedures are initiated or resumed.

The facilitator of the information resolution process will not be the same person as the investigator and/or decisionmaker for the School's grievance process. The facilitator will not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

Recordkeeping

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

(A) For each sex discrimination complaint, records documenting the informal resolution process or the grievance procedures, and if applicable, the resulting outcome.

(B) For each notification the Title IX Coordinator receives of information about conduct that reasonably may constitute sex discrimination under Title IX or its implementing regulations, including notifications, records documenting the actions the School took to meet its legal obligations.

(D) All materials used to provide required training. The School must make these training materials available upon request for inspection by members of the public.

RCM School Board



Agenda Item: F4
School Board Ad Hoc Committee

Department/Program:
School wide

Background Information:
Annually, the RCM School Board holds a board retreat to discuss goals for the year, high-level priorities, and strategic planning. During the 2024-25 board retreat, the need for greater Board engagement with the school community was identified as a goal for the year. An ad hoc committee was formed to explore ways to achieve this goal.

Recommendation:
Discuss report/ideas from ad hoc committee.

Fiscal Implications:
None

Contact Person:
Bryan Little

RCM School Board



Agenda Item: F5

All-Gender Bathrooms - Manila Campus

Department/Program:

Manila Campus

Background Information:

In 2023 Governor Newsom signed Senate Bill 760. This bill requires that on or before July 1, 2026, each school district, county office of education, and charter school, including charter schools operating in a school district facility, maintaining any combination of classes from grades 1 to 12, inclusive, to provide and maintain at least one all-gender restroom for voluntary pupil use at each of its schoolsites that meet specified criteria. The bill would require the all-gender restroom to meet certain requirements, including, among other things, that it has signage identifying the bathroom facility as being open to all genders and is unlocked, unobstructed, and easily accessible by any pupil. The bill would require the local educational agency to designate a staff member to serve as a point of contact for these purposes and to post a notice regarding these requirements in a prominent and conspicuous location outside at least one all-gender restroom.

Recommendation:

Discuss compliance with new law and any possible changes to bathroom use at the Manila campus.

Fiscal Implications:

None

Contact Person:

Michelle Leonard