



Pacific Charter Institute

Heritage Peak Charter School • Rio Valley Charter School • Valley View Charter Prep • Sutter Peak Charter Academy

Board of Directors

Gary Borden, J.D.

Rex Fortune, Ph.D.

Beth Kay

Judy Miller

Joshua Modlin

Jean-Paul Prentice

Kevin Smith-Fagan

Regular Meeting of the Board of Directors Thursday, September 10, 2020 9:30 a.m.

This meeting will be by teleconference pursuant to Executive Orders N-25-20 and N-29-20.

The Board of Directors (“Board”) and employees of Pacific Charter Institute shall meet via the Zoom meeting platform. Members of the public who wish to access this Board meeting may do so at <https://zoom.us/s/98623619721>. You may also call in using the Zoom phone number: US : +1 346 248 7799 Meeting ID: 986 2361 9721

Members of the public who wish to comment during the Board meeting may use the “raise hand” tool on the Zoom platform. Members of the public calling in will be given the opportunity to address the Board during the meeting. Individual comments will be limited to three (3) minutes. If an interpreter is needed for comments, they will be translated to English and the time limit shall be six (6) minutes. The Board may limit the total time for public comment to a reasonable time. The Board reserves the right to mute or remove a participant from the meeting if the participant unreasonably disrupts the Board meeting.

Access to Board Materials: A copy of the written materials which will be submitted to the Board may be reviewed by any interested persons on the Pacific Charter Institute’s website along with this agenda following the posting of the agenda at least 72 hours in advance of this meeting.

Disability Access: Requests for disability-related modifications or accommodations to participate in this public meeting should be made 24 hours prior to the meeting by calling 866-992-9033, ext. 3000. All efforts will be made for reasonable accommodations. The agenda and public documents can be modified upon request as required by Section 202 of the Americans with Disabilities Act.

AGENDA

- 1. Call to Order & Roll Call**
- 2. Adoption of Agenda**
- 3. Hearing of Parties Desiring to Address the Board and/or Present Petition**

Anyone may address the board regarding any item that is within the board's subject matter jurisdiction. At this point on the agenda, opportunity is provided for any individual or representative of a group to make statements to the board regarding an item(s) not listed on the agenda. The board, by law, may not take action on an item introduced during this portion of the agenda.

4. Consent Agenda Items-All matters listed under Consent Agenda Items are to be considered routine and will be enacted by one motion followed by a roll call vote. There will be no separate discussion of these items unless the PCI Board, audience or staff request specific items to be removed from the Consent Agenda Items for separate discussion and action. Any agenda items removed will be voted upon following the motion to approve the Consent Agenda Items

1. Approve June 11, 2020 Regular Meeting Minutes
2. Approve June 15, 2020 Regular Meeting Minutes
3. Adopt BP 5200 Math Placement Policy
4. Adopt Revised AR 0420.4 Policies and Procedures for Student Outreach, Application, Lotteries, and Enrollment
5. Adopt Revised BP 5000 Title IX, Harassment, Intimidation, Discrimination, and Bullying Policy
6. Adopt Revised BP 51006 Use of Technology Policy
7. Adopt Revised BP 1312.3 Uniform Complaint Policy and Procedures
8. Approve the Learning Continuity Plans for HPCS, RVCS, SPCA and VVCP

5. Business Items

1. 2019/20 Unaudited Actuals Report for PCI- Mr. Larry Pastore, Corporate Accountant
2. 2020-2021 Consolidated Application-Application for Funding: Heritage Peak Charter - Mr. Larry Pastore, Corporate Accountant
3. 2020-2021 Consolidated Application- Application for Funding: Rio Valley Charter School - Mr. Larry Pastore, Corporate Accountant
4. Umpqua Resolution – Ms. Danielle Franco-Matteoli, Business Manager
5. Prop 30 Education Protection Act (EPA) - Mr. Larry Pastore, Corporate Accountant
6. Board of Directors Election of Officers

6. Reports/Communications

1. 2020-2021 Budget Update - Mr. Larry Pastore, Corporate Accountant
2. 2020-2021 Reopening Update – Dr. Paul Keefer, Executive Director

7. Future Meetings: December 10, 2020

8. Adjournment



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BOARD OF DIRECTORS MEETING

DATE: September 10, 2020

AGENDA ITEM: #4 Consent Agenda Items 4.1-4.8

Background:

REQUIRES SINGULAR ROLL CALL VOTE

All matters listed under the Consent Agenda Items are to be considered routine and will be enacted by one motion followed by a roll call vote. There will be no separate discussion of these items unless the Board of Trustees, audience, or staff request specific items to be removed from the Consent Agenda Items for separate discussion and action. Any agenda items removed will be voted upon following the motion to approve the Consent Agenda Items.

1. Approve June 11, 2020 Regular Meeting Minutes
2. Approve June 15, 2020 Regular Meeting Minutes
3. Adopt BP 5200 Math Placement Policy
4. Adopt Revised AR 0420.4 Policies and Procedures for Student Outreach, Application, Lotteries, and Enrollment
5. Adopt Revised BP 5000 Title IX, Harassment, Intimidation, Discrimination, and Bullying Policy
6. Adopt Revised BP 51006 Use of Technology Policy
7. Adopt Revised BP 1312.3 Uniform Complaint Policy and Procedures
8. Approve the Learning Continuity Plans for HPCS, RVCS, SPCA and VVCP

RECOMMENDED ACTION:

Board of Directors approve the Consent Agenda Items.



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BOARD OF DIRECTORS MEETING

DATE: September 10, 2020

AGENDA ITEM: #4.1- 4.2 - Adoption of Minutes

Background:

Presented minutes include:

1. June 11, 2020 Regular Meeting
2. June 15, 2020 Regular Meeting

RECOMMENDED ACTION:

Board of Directors approve adoption of presented minutes.



Pacific Charter Institute

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Board of Directors

Gary Borden, J.D.

Rex Fortune, Ph.D.

Beth Kay

Judy Miller

Joshua Modlin

Jean-Paul Prentice

Kevin Smith-Fagan

MINUTES

DATE & TIME: **Thursday, June 11, 2020 @ 9:30 a.m.**

Location: <https://zoom.us/j/95212612958>

1. **Call to Order:** President Kay called the meeting to order at 9:34 a.m. and a quorum was established

Roll Call: Directors Present: Miller, Modlin, Smith-Fagan, Kay, Fortune (please note Dr. Fortune joined the meeting at 9:49 a.m.)

Directors Absent: Borden, Prentice

2. **Adoption of Agenda: APPROVED as amended to move Item 7, Closed Session to the June 15, 2020 meeting**

Motion: Smith-Fagan

Second: Miller

Vote: By a 4-0 vote, the members Approved the agenda with one amendment

Ayes: Miller, Modlin, Smith-Fagan, Kay

No: None

3. **Public Comments:** None

4. **Consent Agenda Items: APPROVED**

Motion: Smith-Fagan

Second: Miller

Vote: By a 4-0 vote, the members Approved the Consent Agenda Items

Ayes: Miller, Modlin, Smith-Fagan, Kay

No: None

1. Approve March 5, 2020 Regular Meeting Minutes
2. Adopt BP 6003 Education of Foster Youth Policy
3. Adopt Revised BP 6173 Homeless Children Youth Policy
4. Adopt BP 5004 Youth Suicide Prevention Policy
5. Adopt Revised BP 5125.1 Family Educational Rights and Privacy Act (FERPA) Policy
6. Adopt Revised BP 5144.1 Pupil Suspension and Expulsion Policy
7. Adopt Revised BP 5001 Immunization Policy

5. **Business Items**

1. PCI 2020-2021 Adopted Budgets and 2019/2020 Estimated Actuals for Heritage Peak Charter; Rio Valley Charter School; Valley View Charter Prep; Sutter Peak Charter Academy- Mr. Larry Pastore, Corporate Accountant: **APPROVED**
Motion: Smith-Fagan
Second: Modlin
Vote: By a 5-0 vote, the members **Approved** the PCI 2020-2021 Adopted Budgets and 2019/2020 Estimated Actuals
Ayes: Fortune, Miller, Modlin, Smith-Fagan, Kay
No: None
2. 2020-2021 Consolidated Application: Heritage Peak Charter - Mr. Larry Pastore, Corporate Accountant- The reports from the state are not ready yet due to delays
3. 2020-2021 Consolidated Application: Rio Valley Charter - Mr. Larry Pastore, Corporate Accountant- The reports from the state are not ready yet due to delays
Motion to table this item 2 and 3 to the September 2020 meeting: Miller
Second: Fortune
Vote: By a 5-0 vote, the members **Approved to table** the consolidated Applications for Heritage Peak Charter and Rio Valley Charter for the September 2020 meeting.
Ayes: Fortune, Miller, Modlin, Smith-Fagan, Kay
No: None
4. COVID-19 Written Report from Heritage Peak Charter School, Rio Valley Charter School, Valley View Charter Prep and Sutter Peak Charter Academy- Dr. Paul Keefer: **APPROVED**
Motion: Fortune
Second: Miller
Vote: By a 5-0 vote, the members **Approved** the COVID-19 Written Report
Ayes: Fortune, Miller, Modlin, Smith-Fagan, Kay
No: None
5. 2020-2021 Board of Directors Calendar- **APPROVED**
September 10, 2020
December 10, 2020
March 11, 2021
June 10, 2021
June 14, 2021
Motion: Miller
Second: Modlin
Vote: By a 5-0 vote, the members **Approved** the PCI 2020-2021 Board of Directors Calendar
Ayes: Fortune, Miller, Modlin, Smith-Fagan, Kay
No: None

6. Reports/Communications

1. SB 359 Status Report 9th Grade Math Placements- Mr. Tim Ribota, Director of Student Services
Mr. Tim Ribota discussed the math readiness courses and expanding student access for next year.

2. Student Achievement Strategic Agility Goals 2020-2021: Heritage Peak Charter School, Rio Valley Charter School, Valley View Charter Prep, Sutter Peak Charter Academy – PCI School Directors and Tim Ribota, Director of Student Services
The directors discussed DIBELS, Exact Path and looking for opportunities for growth. Volts will be used to increase parent involvement along with boot camps. A-G increased participation starting in 9th grade. Writing being a key component to keeping scores up, staff will be increasing training in this area.

7. Future Meetings: Monday June 15, 2020

8. Adjournment: 10:41 a.m.

Motion: Smith-Fagan

Second: Miller

Vote: By a 5-0 vote, the members Approved to Adjourn the meeting

Ayes: Fortune, Miller, Modlin, Smith-Fagan, Kay

No: None

Adoption Date

Beth Kay, Board President
PCI Board of Directors



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Board of Directors

Gary Borden, J.D.

Rex Fortune, Ph.D.

Beth Kay

Judy Miller

Joshua Modlin

Jean-Paul Prentice

Kevin Smith-Fagan

MINUTES

DATE & TIME: **Monday, June 15, 2020 @ 9:30 a.m.**

Location: <https://zoom.us/j/92679629034>

1. **Call to Order:** President Kay called the meeting to order at 9:31 a.m. and a quorum was established
Roll Call: Directors Present: Fortune, Modlin, Smith-Fagan, Kay
Directors Absent: Borden, Miller, Prentice
2. **Adoption of Agenda: APPROVED**
Motion: Fortune
Second: Smith-Fagan
Vote: By a 4-0 vote, the members Approved the agenda with one amendment
Ayes: Fortune, Modlin, Smith-Fagan, Kay
No: None
3. **Public Comments:** None
4. **Closed Session:** At 9:35 a.m. President Kay called the closed session to order to discuss the following item:
 1. Public Employee Performance Evaluation (Certificated) - Executive Director (G.C. 54957)
5. **Announcement of Action(s) Taken in Closed Session:** The Board of Directors returned to Open Session at 10:23 a.m. at which time President Beth Kay announced that there was no action taken
6. **Business Items**
 1. Required Oral Report Regarding Executive Director Employment Agreement Compensation – Beth Kay, PCI Board President
The Board reviewed the annual performance evaluation of the Executive Director in closed session and the recommended new employment agreement under consideration provides for the following primary terms:
 - the Executive Director contract will be extended another year, to be evergreened for three years
 - the growth stipend will be eliminated effective 7/1/19
 - salary for 19/20 SY intended to be \$225,000 total compensation (base salary of 210,019 to include longevity and education stipends, with a performance bonus)
 - salary for the 20/21 SY will have base pay of 210,019 (total compensation package to include longevity and education stipends)

- the Executive Director will continue to be eligible for benefits the same as provided to all full-time employees

2. Approval of Executive Director Employment Agreement for 2020-2021 School Year:

APPROVED

Motion: Smith-Fagan

Second: Modlin

Vote: By a 4-0 vote, the members Approved to extend the Executive Director's Employment Agreement

Ayes: Fortune, Modlin, Smith-Fagan, Kay

No: None

7. **Future Meetings:** September 10, 2020

8. **Adjournment:** 10:28 a.m.

Motion: Smith-Fagan

Second: Modlin

Vote: By a 4-0 vote, the members Approved to Adjourn the meeting

Ayes: Fortune, Modlin, Smith-Fagan, Kay

No: None

Adoption Date

Beth Kay, Board President
PCI Board of Directors



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BOARD OF DIRECTORS MEETING

DATE: September 10, 2020

AGENDA ITEM: #4.3 - BP 5200 Adopt Math Placement Policy

Background:

PCI updates Board Policy (BP) and Administrative Regulations (AR) as advised by legal counsel. Revisions, updates, deletions, and additions are the result of legislation and Case Law and resulting changes to Education Code, Government code and Civil Code. Board Policy 5200 has been reviewed and updated by PCI Administration.

RECOMMENDED ACTION:

Board of Directors adopt BP 5200.



Pacific Charter Institute

MATHEMATICS PLACEMENT POLICY

This Policy of the Pacific Charter Institute (“PCI” or the “Charter School”) Board of Directors (“Board”) has been adopted to establish a fair, objective, and transparent protocol for placement in mathematics courses for students entering 9th grade, in order to ensure the success of every student and to meet the Legislative intent of the California Mathematics Placement Act of 2015.

1. In determining the mathematics course placement for entering 9th grade students, PCI systematically takes multiple objective academic measures of student performance into consideration, including:
 - a. Statewide mathematics assessments, including interim and summative assessments through the California Assessment of Student Performance and Progress (“CAASPP”).
 - b. Placement tests that are aligned to state-adopted content standards in mathematics.
 - c. Classroom assignment and grades.
 - d. Final grade in mathematics on the student’s official, end of the year 8th grade report card.
 - e. Results from all placement checkpoints, including at least one (1) placement checkpoint within the first month of the school year as described in Section 2, below.
2. PCI will provide at least one (1) placement checkpoint within the first month of the school year to ensure accurate placement and permit reevaluation of individual student progress. All mathematics teachers responsible for teaching 9th grade students will assess the mathematics placements for each 9th grade student assigned to the teacher’s mathematics class. The teacher’s assessment will take into consideration factors which may include, but are not limited to, the student’s classroom assignments, quizzes, tests, exams, grades, classroom participation, and any comments provided by the student, the student’s parent/legal guardian, and/or the student’s other teachers regarding the student’s mathematics placement. Based on the assessment, the teacher will then recommend that the student remain in the current mathematics placement or be transferred to another mathematics placement, in which case the teacher shall specify the mathematics course or level recommended for the student.
3. The PCI Executive Director, or designee, shall examine aggregate student placement data annually to ensure that students who are qualified to progress in mathematics courses based on their performance on objective academic measures included in Section 1 of this Policy are not held back in a disproportionate manner on the basis of their race, ethnicity, gender,

or socioeconomic background. PCI shall annually report the aggregate results of this examination to the PCI Board.

4. PCI offers clear and timely recourse for each student and the student's parent or legal guardian who questions the student's placement, as follows:
 - a. A parent/legal guardian of any 9th grade student may submit a written request to the PCI Executive Director, or designee, that:
 - i. Requests information regarding how the student's mathematics placement was determined. Within five (5) days of receipt of the written request, the PCI Executive Director or designee shall respond in writing to the parent/legal guardian's request by providing the information, including the objective academic measures that Charter School relied upon in determining the student's mathematics placement.
 - ii. Requests that the student retake the placement test, in which case the Executive Director or designee will attempt to facilitate the retest within two (2) weeks.
 - iii. Requests that the student retake the 8th grade end of course final mathematics assessment, in which case the Executive Director or designee will attempt to facilitate the retest within two (2) weeks.
 - iv. Requests reconsideration of the student's mathematics placement based on objective academic measures. Within five (5) school days of receipt of the written request, the PCI Executive Director or designee shall respond in writing to the parent/legal guardian's request. The Executive Director or designee and the student's mathematics teacher must assess the objective academic measures provided by the parent in conjunction with the objective academic measures identified in Section 1 and 2 of this Policy. Based on this assessment, the Executive Director or designee must determine whether the most appropriate mathematics placement for the student is the student's current placement or another placement, in which case the Executive Director shall specify the mathematics course or level recommended for the student. The Executive Director's or designee's response must provide the determination as well as the objective academic measures that the Executive Director or designee relied upon in making that determination.
 - b. Notwithstanding the foregoing, if the Executive Director or designee requires additional time to respond to a parent/legal guardian's request, the Executive Director or designee will provide a written response indicating that additional time is needed. In no event shall the Executive Director's or designee's response time exceed one (1) month.
 - c. If, after reconsideration of the student's mathematics placement by the Executive Director or designee, the parent/legal guardian is dissatisfied with the student's mathematics placement, the parent/legal guardian may choose to sign a voluntary waiver requesting that the student be placed in another mathematics course against the professional recommendation of the Executive Director or designee, acknowledging and accepting responsibility for this placement.

5. PCI shall ensure that this Mathematics Placement Policy is posted on its website.
6. This Policy is adopted pursuant to the Mathematics Placement Act of 2015, enacted as Education Code Section 51224.7.



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BOARD OF DIRECTORS MEETING

DATE: September 10, 2020

AGENDA ITEM: #4.4 – AR 0420.4 Policies and Procedures for Student Outreach, Application, Lotteries, and Enrollment

Background:

PCI updates Board Policy (BP) and Administrative Regulations (AR) as advised by legal counsel. Revisions, updates, deletions, and additions are the result of legislation and Case Law and resulting changes to Education Code, Government code and Civil Code. AR 0420.4 has been reviewed and updated by PCI Administration.

RECOMMENDED ACTION:

Board of Directors adopt revised AR 0420.4.



Pacific Charter Institute

Policies and Procedures for Student Outreach, Application, Lotteries, and Enrollment AR 0420.4

Revised and Adopted: September 10, 2020

This policy, adopted by the Board of Directors of Pacific Charter Institute (“PCI”), applies to all charter schools operated by Pacific Charter Institute. Each individual charter school is referred to herein as the “Charter School.”

OUTREACH POLICIES AND PROCEDURES

The Charter School strives to achieve a student population reflective of the neighborhood(s) in which the Charter School is located and/or the low-income population served by the Charter School’s authorizer. Because the Charter School’s mission is to eliminate the achievement gap, during the admission process, the Charter School puts forth best efforts to proactively contact local families who are in greatest need and may be least likely to hear about new educational opportunities. To this end, extensive outreach is conducted by Charter School leaders, PCI central staff, and volunteers. This outreach may take place door-to-door and in a wide variety of community venues, from houses of worship, to Head Start programs, to local libraries, to local stores. Neighborhoods chosen for targeted outreach may include those that are near the Charter School, those identified as socioeconomically disadvantaged according to census tract analysis, and those near schools either eligible for differentiated assistance or with both a Free and Reduced Price Meal-eligible student population above 50 percent and standardized test scores well below state averages. The Charter School strives to share information about our program as broadly as possible, especially to students currently attending underperforming schools.

APPLICATION POLICIES AND PROCEDURES

The Charter School shall be nonsectarian in its programs, admission policies, employment practices, and all operation, shall not charge tuition, and shall not discriminate against any pupil on the basis of the characteristics listed in Section 220 (actual or perceived disability, gender, gender expression, gender identity, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, or association with an individual who has any of the aforementioned characteristics). No test or assessment shall be administered to students prior to acceptance and enrollment into the Charter School. The Charter School will comply with all laws establishing minimum and maximum age for public school attendance in charter schools. Admission to the Charter School, except in the case of a public random drawing (or “lottery”), shall not be determined by the place of residence of the pupil, or of his or

Date Adopted: December 8, 2015

Date Revised and Adopted: September 10, 2020



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her parent or guardian, within the State, unless required by Education Code Section 51747.3. In accordance with Education Code Sections 49011 and 47605(d)(2)(B)(iv), admission preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment.

The application process requires submission of a student application which collects basic student information (e.g. name, date of birth, grade level entering) necessary to enter the student into a lottery, if needed, and contact information of the student and his/her parent/guardian. Prior to admission into the Charter School, no information is collected on demographic features such as income, home language, ethnic background, or any special needs a student may have, as these do not factor into the application and/or lottery process.

PUBLIC RANDOM DRAWING

Applications will be accepted during two publicly-advertised application periods each year for enrollment in the following school year. The Charter School shall admit all pupils who wish to attend the school subject only to capacity. Capacity will be determined by the availability of qualified, trained, credentialed teachers to serve as the teacher of record for students who wish to attend.

Submission of an application is not a guarantee of enrollment in the Charter School; the application is an entry into the public random drawing, if the Charter School receives more applications than spaces available.

Following the initial application period each year, applications shall be counted to determine whether the number of applications exceeds the number of graduating seniors. In the event that the number of students seeking admission to PCI exceeds the number of students who will graduate in the present school year, a lottery will be held for the impacted area(s).

Charter School's existing students who wish to continue at PCI must have confirmed their intent to return prior to the end of the second application period. Students who do so are guaranteed admission in the following school year. Following the second application period, PCI shall determine the number of available seats which shall be equivalent to Charter School's capacity minus the number of students confirmed to return and the number of students admitted during the first enrollment period. In the event that the number of students seeking admission during the second enrollment period exceeds the Charter School's number of available seats, a second lottery shall be held for the impacted area(s).

In any year in which a lottery is not required because the number of applications does not exceed the Charter School's capacity, the Charter School will admit all students who meet the admission and application requirements stated in the Charter and these Policies.



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As described above, if any area serviced by a PCI teacher has received more applications than available places during an application period, a lottery will be held. It is not necessary for students or parents/guardians to be present at this lottery to be selected. The lottery will be conducted using Pacific Charter Institute's online lottery system containing application information for all students who have submitted applications during the application period.

Admission preferences in the case of a lottery shall be provided in the order outlined in each respective PCI charter. The Charter School agrees to adhere to the requirements related to admission preferences as set forth in Education Code Section 47605(d)(2)(B)(i)-(iv).

The Board of Directors will take all necessary efforts to ensure lottery procedures are fairly executed. PCI will use an electronic lottery process integrated with each charter school's Student Information System (PowerSchool). Priorities for enrollment established for each charter school are pre-programmed into the system. All applications for each area are evaluated at one time giving preference to the priorities outlined for each charter school, and then randomized for placement in available spots. If there are more applicants than vacancies, a waitlist will be created for each area. Students qualifying for more than one preference group will be considered part of the highest preference for which they qualify.

At the conclusion of the lottery, all students who were not granted admission due to capacity shall be placed on a waitlist in an order according to their draw order in the lottery. This waitlist will allow students the option of enrollment in the case of an opening between the lottery and the start of the school year, or a new opening during the school year once underway. The waitlist will not be carried over to the next school year.

The Charter School will conduct the lottery in the spring for enrollment in fall of that year. Public random drawing rules, deadlines, dates and times will be communicated in the application form and on each Pacific Charter Institute charter school website. Public notice for the date and time of the public random drawing will also be posted once the application deadline has passed.

For each Pacific Charter Institute charter with an admission preference for siblings, admission or enrollment of an applicant's sibling gives this applicant preference in the application process. In implementing this preference, it is Pacific Charter Institute's policy that if a student is on a waitlist for the Charter School and his/her sibling is subsequently admitted to the Charter School, he/she is moved to the top of the waitlist for the area he/she applied for.

If a student is extended an offer for enrollment through an admission preference, the Charter School may require supporting documentation (e.g., proof of address) from the parent/guardian as part of the student's enrollment package. The Charter School shall conduct verification of such documentation prior to finalizing the student's enrollment. If the student was offered enrollment via a preference and the



Pacific Charter Institute

Charter School deems that the student does not qualify, the student will immediately forfeit admission and be placed at the end of the waitlist.

ENROLLMENT POLICIES AND PROCEDURES

After completion of the lottery, the Charter School will make best efforts to contact the parent/guardians of all applicants to notify them of their admission and/or waitlist status(es) within two weeks of the drawing. To confirm an offer of admission in the Charter School, the parents/guardians must submit all required enrollment documents to the staff member responsible for enrollment at the Charter School by the stated deadline.

In addition, the Charter School feels strongly that success for students requires a commitment from both students and parents to the mission and vision of the Charter School as set forth in the Charter. During the enrollment process, all parents or guardians shall be asked to sign a Commitment Letter indicating they understand the Charter School's philosophy and program. However, students will not be denied admission or disenrolled for failing to sign the Commitment Letter.

If the Charter School does not receive the required enrollment documents for a student by the stated deadline, after making our best attempt to contact the student, the student will be deemed to have declined his/her admission to the Charter School, and will forfeit his/her spot. Notwithstanding the above, the Charter School will not penalize a homeless student or foster youth for inability to timely present some part of the required enrollment documents, consistent with our Homeless Education Policy.

If the Charter School receives any applications after the application period and lottery and before the applicable school year has started, the Charter School will place students in the Charter School in the order the applications are received, if the area serviced by a PCI teacher has capacity to serve the students.

Decisions on any aspect of applications, lotteries, or enrollment not addressed specifically in these Policies or in the Charter School's charter may be made by the Executive Director, consistent with all applicable law, these Policies, and the Charter School's charter.



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BOARD OF DIRECTORS MEETING

DATE: September 10, 2020

AGENDA ITEM: #4.5 - BP 5000 Title IX, Harassment, Intimidation,
Discrimination, and Bullying Policy

Background:

PCI updates Board Policy (BP) and Administrative Regulations (AR) as advised by legal counsel. Revisions, updates, deletions and additions are the result of legislation and Case Law and resulting changes to Education Code, Government code and Civil Code. Board Policy 5000 has been reviewed and updated by PCI Administration.

RECOMMENDED ACTION:

Board of Directors adopt revised BP 5000.



Pacific Charter Institute

Title IX, Harassment, Intimidation, Discrimination, and Bullying Policy BP 5000

Adopted June 17, 2019

Revised: September 10, 2020

Discrimination, sexual harassment, harassment, intimidation, and bullying are all disruptive behaviors, which interfere with students' ability to learn and negatively affect student engagement, diminish school safety, and contribute to a hostile school environment. As such, Pacific Charter Institute ("PCI") prohibits any acts of discrimination, sexual harassment, harassment, intimidation, and bullying altogether. This policy is inclusive of instances that occur on any area of the school campus, at school-sponsored events and activities, regardless of location, through school-owned technology, and through other electronic means.

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

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

Moreover, PCI will not condone or tolerate misconduct prohibited by this Policy by any employee, independent contractor or other person with whom PCI does business, or any other individual,

student, or volunteer. This policy applies to all employee, student, or volunteer actions and relationships, regardless of position or gender. PCI will promptly and thoroughly investigate and respond to any complaint of misconduct prohibited by this Policy in a manner that is not deliberately indifferent and will take appropriate corrective action, if warranted. PCI complies with all applicable state and federal laws and regulations and local ordinances in its investigation of and response to reports of misconduct prohibited by this Policy.

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

Leanna Comer
1401 El Camino Avenue, Suite 510
Sacramento, CA 95815
866-992-9033, ext. 3002

Definitions

Prohibited Unlawful Harassment

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

Prohibited Unlawful Harassment under Title IX

Title IX (20 U.S.C. § 1681 *et. seq.*; 34 C.F.R. § 106.1 *et. seq.*) and California state law prohibit discrimination and harassment on the basis of sex. In accordance with these existing laws, discrimination and harassment on the basis of sex in education institutions, including in the education institution’s admissions and employment practices, is prohibited. All persons, regardless of sex, are afforded equal rights and opportunities and freedom from unlawful discrimination in education programs or activities conducted by PCI.

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

Sexual harassment consists of conduct on the basis of sex, including, but not limited to unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct on the basis of sex, regardless of whether or not the conduct is motivated by sexual desire when: (a) Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, education, academic status, or progress; (b) submission to, or rejection of, the conduct by the

individual is used as the basis of employment, educational or academic decisions affecting the individual; (c) the conduct has the purpose or effect of having a negative impact upon the individual's work academic performance, or of creating an intimidating, hostile, or offensive work or educational environment; and/or (d) submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

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

Sexual harassment may include, but is not limited to:

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

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

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

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

Prohibited Bullying

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

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

* "Reasonable student" is defined as a student, including, but not limited to, an exceptional needs student, who exercises care, skill and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

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

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

1. A message, text, sound, video, or image.
2. A post on a social network Internet Web site including, but not limited to:
 - a. Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in the definition of "bullying," above
 - b. Creating a credible impersonation of another actual student for the purpose of having one or more of the effects listed in the definition of "bullying," above. "Credible impersonation" means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that another student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated
 - c. Creating a false profile for the purpose of having one or more of the effects listed in the definition of "bullying," above. "False profile" means a profile of a fictitious

- student or a profile using the likeness or attributes of an actual student other than the student who created the false profile.
3. An act of “Cyber sexual bullying” including, but not limited to:
 - a. The dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a student to another student or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in definition of “bullying,” above. A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
 - b. “Cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
 4. Notwithstanding the definitions of “bullying” and “electronic act” above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet

Formal Complaint of Sexual Harassment means a written document filed and signed by a complainant who is participating in or attempting to participate in PCI’s education program or activity or signed by the Coordinator alleging sexual harassment against a respondent and requesting that PCI investigate the allegation of sexual harassment.

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

Bullying and Cyberbullying Prevention Procedures

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

1. Cyberbullying Prevention Procedures

PCI advises students:

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

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

2. Education

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

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

PCI's bullying prevention education also discusses the differences between appropriate and inappropriate behaviors and includes sample situations to help students learn and practice appropriate behavior and to develop techniques and strategies to respond in a non-aggressive way to bullying-type behaviors. Students will also develop confidence and learn how to advocate for themselves and others, and when to go to an adult for help.

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

3. Professional Development

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

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

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

- Decreased self-esteem

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

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

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

Grievance Procedures

1. Scope of Grievance Procedures

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

- a. Are written and signed;
- b. Filed by an individual who alleges that that individual has personally suffered unlawful discrimination, harassment, intimidation or bullying, or by one who believes any specific class of individuals has been subjected to discrimination, harassment, intimidation or bullying prohibited by this part, or by a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying; and
- c. Submitted to the PCI UCP Compliance Officer not later than six (6) months from the date the alleged unlawful discrimination, harassment, intimidation or bullying occurred, or the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation or bullying.

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

2. Reporting

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

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

Leanna Comer
1401 El Camino Avenue, Suite 510, Sacramento, CA 95815
866-992-9033, ext. 3002

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

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

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

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

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

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

3. Supportive Measures

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

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

4. Investigation and Response

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

At the conclusion of the investigation, the Coordinator or administrative designee will meet with the complainant and, to the extent possible with respect to confidentiality laws, to provide the complainant with information about the investigation, including any actions necessary to resolve the incident/situation. However, the Coordinator or administrative designee reveal confidential information related to other students or employees.

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

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

- Notice of the Allegations
 - Upon receipt of a formal complaint of sexual harassment, the Coordinator will give all known parties written notice of its grievance process, including any voluntary informal resolution process. The notice will include:
 - A description of the allegations of sexual harassment at issue and to the extent known, the identities of the parties involved in the incident, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident;
 - A statement that the respondent is presumed not responsible for the alleged conduct until a final decision is reached;
 - A statement that the parties may have an advisor of their choice, who may be an attorney, and may inspect and review evidence;
 - A statement that PCI prohibits an individual from knowingly making false statements or knowingly submitting false information during the grievance process.
- Emergency Removal
 - PCI may place a non-student employee respondent on administrative leave during the pendency of a formal complaint of sexual harassment grievance process in accordance with PCI's policies.
 - PCI may remove a respondent from PCI's education program or activity on an emergency basis, in accordance with PCI's policies, provided that PCI 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 respondent with notice and an opportunity to challenge the decision immediately following the removal.
 - This provision may not be construed to modify any rights under the IDEA, Section 504, or the ADA.
- Informal Resolution
 - If a formal complaint of sexual harassment is filed, PCI may offer a voluntary informal resolution process, such as mediation, to the parties at any time prior to reaching a determination regarding responsibility. If PCI offers such a process, it will do the following:
 - Provide the parties with advance written notice of:
 - The allegations;
 - The requirements of the voluntary informal resolution process including the circumstances under which the parties are precluded from resuming a formal complaint of sexual harassment arising from the same allegations;
 - The parties' right to withdraw from the voluntary informal resolution process and resume the grievance process at any time prior to agreeing to a resolution; and

- Any consequences resulting from participating in the voluntary informal resolution process, including the records that will be maintained or could be shared; and
 - Obtain the parties' advance voluntary, written consent to the informal resolution process.
 - PCI will not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.
- Investigation Process
 - The decision-maker will not be the same person(s) as the Coordinator or the investigator. PCI shall ensure that all decision-makers and investigators do not have a conflict of interest or bias for or against complainants or respondents.
 - In most cases, a thorough investigation will take no more than twenty-five (25) school days. If the investigator determines that an investigation will take longer than twenty-five (25) school days and needs to be delayed or extended due to good cause, the investigator will inform the complainant and any respondents in writing of the reasons for the delay or extension and provide an approximate date when the investigation will be complete.
 - The parties will be provided with an equal opportunity to present witnesses, to inspect and review any evidence obtained that is directly related to the allegations raised, and to have an advisor present during any investigative meeting or interview.
 - The parties will not be prohibited from discussing the allegations under investigation or to gather and present relevant evidence.
 - A party whose participation is invited or expected at an investigative meeting or interview will receive written notice of the date, time, location, participants, and purpose of the meeting or interview with sufficient time for the party to prepare to participate.
 - Prior to completion of the investigative report, PCI will send to each party and the party's advisor, if any, a copy of the evidence subject to inspection and review, and the parties will have at least ten (10) days to submit a written response for the investigator's consideration prior to the completion of the investigation report.
 - The investigator will complete an investigation report that fairly summarizes relevant evidence and send a copy of the report to each party and the party's advisor, if any, at least ten (10) days prior to the determination of responsibility.
- Dismissal of a Formal Complaint of Sexual Harassment
 - If the investigation reveals that the alleged harassment did not occur in PCI's educational program in the United States or would not constitute sexual harassment even if proved, the formal complaint with regard to that conduct must be dismissed. However, such a dismissal does not preclude action under another applicable PCI policy.
 - PCI may dismiss a formal complaint of sexual harassment if:
 - The complainant provides a written withdrawal of the complaint to the Coordinator;
 - The respondent is no longer employed or enrolled at PCI; or

- The specific circumstances prevent PCI from gathering evidence sufficient to reach a decision on the formal complaint or the allegations therein.
 - If a formal complaint of sexual harassment or any of the claims therein are dismissed, PCI will promptly send written notice of the dismissal and the reason(s) for the dismissal simultaneously to the parties.
- Determination of Responsibility
 - The standard of evidence used to determine responsibility is the preponderance of the evidence standard.
 - PCI will send a written decision on the formal complaint to the complainant and respondent simultaneously that describes:
 - The allegations in the formal complaint of sexual harassment;
 - All procedural steps taken including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;
 - The findings of facts supporting the determination;
 - The conclusions about the application of PCI's code of conduct to the facts;
 - The decision and rationale for each allegation;
 - Any disciplinary sanctions the recipient imposes on the respondent, and whether remedies designed to restore or preserve equal access to the education program or activity will be provided to the complainant; and
 - The procedures and permissible bases for appeals.

5. Consequences

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

6. Right of Appeal

Should the reporting individual find PCI's resolution unsatisfactory, the reporting individual may, within five (5) business days of notice of PCI's decision or resolution, submit a written appeal to the President of the PCI Board, who will review the investigation and render a final decision.

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

- The complainant and the respondent shall have the same appeal rights and PCI will implement appeal procedures equally for both parties.
- PCI will notify the other party in writing when an appeal is filed.
- The decision-maker for the appeal will give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome; issue a written decision describing the result of the appeal and the rationale for the result; and provide the written decision simultaneously to both parties.

7. Recordkeeping

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

- Records of any appeal of a formal sexual harassment complaint and the results of that appeal.
- Records of any informal resolution of a sexual harassment complaint and the results of that informal resolution.
- All materials used to train Title IX coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process.
- Records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment.

PACIFIC CHARTER INSTITUTE

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

Your Name: _____ Date: _____

Date of Alleged Incident(s): _____

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

List any witnesses that were present: _____

Where did the incident(s) occur? _____

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

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

Signature of Complainant

Date: _____

Print Name

To be completed by the Charter School:

Received by: _____

Date: _____

Follow up Meeting with Complainant held on: _____



Pacific Charter Institute

Heritage Peak Charter School • Rio Valley Charter School • Valley View Charter Prep • Sutter Peak Charter Academy

BOARD OF DIRECTORS MEETING

DATE: September 10, 2020

AGENDA ITEM: #4.6 - BP 51006 Use of Technology Policy

Background:

PCI updates Board Policy (BP) and Administrative Regulations (AR) as advised by legal counsel. Revisions, updates, deletions and additions are the result of legislation and Case Law and resulting changes to Education Code, Government code and Civil Code. Board Policy 51006 has been reviewed and updated by PCI Administration.

RECOMMENDED ACTION:

Board of Directors adopt revised BP 51006.

USE OF TECHNOLOGY POLICY

Board Policy #: BP 51006
Adopted/Ratified: June 14, 2012
Revision Date: September 10, 2020

Overview and Purpose

Pacific Charter Institute (“PCI” or the “School”), which operates Heritage Peak Charter School, Rio Valley Charter School, Valley View Charter Prep, and Sutter Peak Charter Academy provides online services that all students and staff may access using the Internet, as well as laptop computers and Internet hotspots which are available on a more limited basis to access the PCI Network for school purposes. Internet access (which is provided separately by an Internet Service Provider) allows for access to information, software, news and communication by electronic mail that originates from any point in the world. All users must agree to the guidelines in the Acceptable Use Agreement and the School’s Use of Technology Policy to have access to the Internet for PCI use.

Educational Purpose

PCI’ Network system has been established strictly for “educational purposes” including but not limited to online activities, direct and independent learning activities or research, individual and collaborative writing and publishing, career development, personal productivity, and/or other high-quality learning activities. Use of PCI Technology and access to the Internet via School equipment and resource networks is intended to serve and pursue educational goals and purposes. Use of the Internet by students and staff is therefore limited to only those activities that further or enhance the delivery of an educational purpose. Students and staff have a duty to use School resources only in a manner specified in this Policy.

Monitoring

PCI has the right to monitor and place reasonable restrictions on who can access PCI-assigned physical and cloud-based storage and systems, and the material that individual users may post on these systems. Students and staff have no reasonable expectation of privacy with respect to their use of PCI Technology, including but not limited to all systems, devices and equipment. PCI staff shall monitor all PCI Technology for inappropriate use and to restrict usage as required. Parents/guardians are required to supervise and monitor their child’s use of PCI equipment including but not limited to their child’s access to the Internet and any online services through such equipment any and all times during which any School equipment is being used by their student outside school facilities or school hours to ensure compliance with this policy.

Notice

PCI shall notify students, parents/guardians and staff about authorized uses of School computers, user obligations and responsibilities, and consequences for unauthorized use and/or unlawful activities.

Acceptable Use Agreement (Students)

Before a student is authorized to use the PCI Technology, the student and the student's parent/guardian shall sign and return the Acceptable Use Agreement specifying user obligations and responsibilities. In that agreement, the student and the student's parent/guardian shall agree not to hold the School or any PCI staff responsible for the failure of any technology protection measures, violations of copyright restrictions, or user mistakes or negligence. They shall also agree to indemnify and hold harmless the School and PCI personnel for any damages or costs incurred.

Acceptable Use Agreement (Staff)

All employees shall receive a copy of this policy and the accompanying Acceptable Use Agreement describing expectations for appropriate use of the system and shall also be provided with information about the role of staff in supervising student use of technological resources. All employees shall comply with this policy and the Acceptable Use Agreement, in addition to any separate policies governing employee use of technology.

Distributed Nature of PCI Network

Educational technology at PCI transpires by way of a distributed model that includes site-based learning resource centers as well as home-based learning. PCI provides laptop computers for students and staff to use for educational purposes, as well as online services for digital learning. The terms "PCI Technology" and PCI's technological "Network" refers to this overall distributed learning environment, including computers, and hotspots provided by PCI as well as online resources and information technology maintained by PCI. As a result, users are expected to follow PCI's Acceptable Use Agreement regardless of whether learning activities take place in the learning resource centers, at meeting locations, or at home, and regardless of whether equipment is supplied by PCI.

Personal Safety

Students should not post Personal Identifiable Information ("PII") about themselves or other people on the PCI network. PII includes but is not limited to the student's full name with other information that would allow an individual to locate the student, including, but not limited to, a parent/guardian's name, home address or location, telephone number, school address or location, work address or location, email address, and/or website or social media page(s).

PCI advises students:

- To not agree to meet with someone they have met online without parent/guardian approval.
- To not disclose passwords, personal data, or private photos online.
- To not disclose names, personal contact information, or any other private or personal information about other students under any circumstances.

Staff are also strictly prohibited from posting or otherwise distributing any PII or other confidential information regarding students.

Unauthorized Access and Illegal Acts

No students or staff will attempt to gain unauthorized access to PCI network or to any other computer system while using PCI Technology, or go beyond personal authorized access. This includes attempting to log on through another person's account. No person may use any device or software to gain unauthorized access to another person's files or private information.

No user will make deliberate attempts to disrupt the PCI Network system, or any other computer system, and/or accessing information designed to further criminal or dangerous activities, which, if acted upon could cause damage, present a danger, or cause disruption to the School, other students, or the community. This may include but is not limited to damaging, debilitating or disabling computers, computer networks or systems, including through the intentional or other distribution or spreading of computer viruses or other harmful programs, which are strictly prohibited. Any unauthorized online access to other computers by means of hacking into other computers, downloading hacker tools such as port scanners and password crackers designed to evade restrictions shall also be strictly prohibited.

Vandalism is not permitted and will be strictly disciplined. Vandalism is defined as any attempt to harm or destroy data of another user or another agency or network that is connected to the Internet or Intranet (PCI internal network). Vandalism includes, but is not limited to, the uploading, downloading, or use of viruses, key logging tools/software, Trojan horse programs, or any software utilized to scan the network for confidential information or bypass security measures put in place by the PCI.

No person may use PCI Technology to engage in or help others engage in any illegal act, such as but not limited to: arranging for a drug sale, engaging in criminal gang activity, threatening the safety of another person, engaging in gambling activities, or any other activity in violation of local, state, and federal law.

Individual Accounts

Each individual user is responsible for their own individual account and should not provide their password to another person. All individual users should avoid the inadvertent spreading of computer viruses by following the PCI virus protection

procedures when downloading material. Large files may not be downloaded unless necessary and only with the permission from the teacher or Director of Information Technology or designee.

Supported Technologies

PCI is heavily invested in processes and learning tools that integrate closely with the Microsoft family of products. These include Microsoft Office 365 applications as well as the Microsoft Windows Operating System. As a result, the use of other operating systems is discouraged. The use of productivity products (i.e. Google Classroom, Google Drive, Google hangouts, etc.) are prohibited as these may not be supported under the strict security provisions from PCI.

Email and Communications

Each individual user is expected to know how to access their assigned Office 365 email account (either via Outlook Web App or via the Outlook desktop application). All communications in the PCI context are expected to be conducted via the officially assigned PCI email account. Forwarding to external email providers (i.e. Hotmail, Yahoo Mail, Gmail, etc.) is prohibited.

Safety Instruction

The Executive Director or designee shall establish regulations to address the safety and security of students and staff and student/staff information when using email, chat rooms, and other forms of direct electronic communication. The Executive Director or designees shall provide age-appropriate instruction regarding safe and appropriate behavior on social networking sites, chat rooms, and other Internet services. Such instruction shall include, but not be limited to, maintaining the student's online reputation and ensuring their personal safety by keeping their personal information private, the dangers of posting personal information online, misrepresentation by online predators, how to report inappropriate or offensive content or threats, behaviors that constitute cyberbullying, and how to respond when subjected to cyberbullyingⁱ. Students and staff are expected to follow safe practices when using PCI Technology.

Online Communities and Communications

While many sites and online communities and communications are accessible as educational tools within PCI classrooms, some are deemed inappropriate and are blocked within the PCI Network. Various online communities may be used for educational purposes including but not limited to: Wikis, blogs, social networks, internal communication systems, video/photo sharing sites (e.g. YouTube), virtual classrooms/chat areas (e.g. School Loop), video conferencing, and discussion boards.

PCI reserves the right to block network access to any online resources at any time that has no educational purpose and/or contain visual depictions that are obscene, constitute child pornography, or that are harmful to minors. While the School is able to exercise reasonable control over content created and purchased by the School, it has

limited control over content accessed via the internet and no filtering system is 100% effective. Neither the School nor its staff shall be responsible for the failure of any technology protection measures, violations of copyright restrictions, or user mistakes, misuse or negligence.

PCI advises students and staff:

- To not forward a message that was sent to others privately without permission of the person who sent the message.
- To think about what they are doing carefully before posting and by emphasizing that comments cannot be retracted once they are posted.
- That personal information revealed on social media can be shared with anyone including parents, teachers, administrators, and potential employers. Neither students nor staff should reveal information that would make them uncomfortable if the world had access to it.
- To consider how it would feel receiving such comments before making comments about others online.

Loss of Privileges

Use of School's computers, networks, and Internet services is a privilege, not a right. Compliance with the School's policies and rules concerning computer use is mandatory. Students and staff who violate these policies and rules may have their computer privileges limited and may be subject to discipline, including but not limited to suspension or expulsion per school policy. Staff who violate these policies and rules may be subject to disciplinary action, up to and including termination of employment.



Pacific Charter Institute

Heritage Peak Charter School • Rio Valley Charter School • Valley View Charter Prep • Sutter Peak Charter Academy

BOARD OF DIRECTORS MEETING

DATE: September 10, 2020

AGENDA ITEM: #4.7 – BP 1312.3 Uniform Complaint Policy and Procedures

Background:

PCI updates Board Policy (BP) and Administrative Regulations (AR) as advised by legal counsel. Revisions, updates, deletions and additions are the result of legislation and Case Law and resulting changes to Education Code, Government code and Civil Code. Board Policy 1312.3 has been reviewed and updated by PCI Administration.

RECOMMENDED ACTION:

Board of Directors adopt revised BP 1312.3.

Uniform Complaint Policy and Procedures

BP/E 1312.3

Adopted June 10, 2014

Revised September 10, 2020

Pacific Charter Institute (“Charter School”) complies with applicable federal and state laws and regulations. The Charter School is the local agency primarily responsible for compliance with federal and state laws and regulations governing educational programs. Pursuant to this Policy, persons responsible for compliance and/or conducting investigations shall be knowledgeable about the laws and programs which they are assigned to investigate.

Scope

This complaint procedure is adopted to provide a uniform system of complaint processing (“UCP”) for the following types of complaints:

- (1) Complaints alleging unlawful discrimination, harassment, intimidation or bullying against any protected group on the basis of the actual or perceived characteristics of age, sex, sexual orientation, gender, gender identity, gender expression, genetic information, marital status, ethnic group identification, immigration status, citizenship, race or ethnicity, ancestry, nationality, national origin, religion, color, medical condition or mental or physical disability, or on the basis of a person’s association with a person or group with one or more of these actual or perceived characteristics in any Charter School program or activity.
- (2) Complaints alleging a violation of state or federal law or regulation governing the following programs:
 - Accommodations for Pregnant, Parenting or Lactating Students
 - Special Education
 - Education of Students in Foster Care, Students who are Homeless, former Juvenile Court Students now enrolled in a public school, Migratory Children and Children of Military Families
 - Consolidated Categorical Aid
 - Every Student Succeeds Act
 - Career Technical and Technical Education
 - Career Technical and Technical Training
 - Child Care and Development Programs
 - School Safety Plans
- (3) Complaints alleging that a pupil enrolled in a public school was required to pay a pupil fee for participation in an educational activity as those terms are defined below.
 - a. “Educational activity” means an activity offered by the charter school that constitutes an

integral fundamental part of elementary and secondary education, including, but not limited to, curricular and extracurricular activities.

- b. “Pupil fee” means a fee, deposit or other charge imposed on pupils, or a pupil’s parents or guardians, in violation of Education Code section 49011 and Section 5 of Article IX of the California Constitution, which require educational activities to be provided free of charge to all pupils without regard to their families’ ability or willingness to pay fees or request special waivers, as provided for in *Hartzell v. Connell* (1984) 35 Cal.3d 899. A pupil fee includes, but is not limited to, all of the following:
 - i. A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory or is for credit.
 - ii. A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, uniform or other materials or equipment.
 - iii. A purchase that a pupil is required to make to obtain materials, supplies, equipment or uniforms associated with an educational activity.
- c. A pupil fees complaint and complaints regarding local control and accountability plans (“LCAP”) only, may be filed anonymously (without an identifying signature), if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with Education Code sections 52060 - 52077, including an allegation of a violation of Education Code sections 47606.5 or 47607.3, as referenced in Education Code section 52075, regarding local control and accountability plans.
- d. If the Charter School finds merit in a pupil fees complaint, or the California Department of Education (“CDE”) finds merit in an appeal, the Charter School shall provide a remedy to all affected pupils, parents/guardians that, where applicable, includes reasonable efforts by the Charter School to ensure full reimbursement to all affected pupils, parents/guardians, subject to procedures established through regulations adopted by the state board.
- e. Nothing in this Policy shall be interpreted to prohibit solicitation of voluntary donations of funds or property, voluntary participation in fundraising activities, or charter school and other entities from providing pupils prizes or other recognition for voluntarily participating in fundraising activities.

- (4) Complaints alleging noncompliance with the requirements governing the Local Control Funding Formula (“LCFF”) or LCAP under Education Code sections 47606.5 and 47607.3, as applicable. If the Charter School adopts a School Plan for Student Achievement in addition to its LCAP, complaints of noncompliance with the requirements of the School Plan for Student Achievement under Education Code sections 64000, 64001, 65000, and 65001 shall also fall under this Policy.

Complaints alleging noncompliance regarding child nutrition programs established pursuant to Education Code sections 49490-49590 are governed by Title 7, Code of Federal Regulations (“C.F.R.”) sections 210.19(a)(4), 215.1(a), 220.13(c), 225.11(b), 226.6(n), and 250.15(d) and Title 5, California Code of Regulations (“C.C.R.”) sections 15580 - 15584.

Complaints alleging noncompliance regarding special education programs established pursuant to Education Code sections 56000-56865 and 59000-59300 are governed by the procedures set forth in 5 C.C.R. sections 3200-3205 and 34 C.F.R. sections 300.151-300.153.

The Charter School acknowledges and respects every individual’s rights to privacy. Unlawful discrimination, harassment, intimidation or bullying complaints shall be investigated in a manner that protects (to the greatest extent reasonably possible and as permitted by law) the confidentiality of the parties, including but not limited to the identity of the complainant, and maintains the integrity of the process. The Charter School cannot guarantee anonymity of the complainant. This includes keeping the identity of the complainant confidential. However, the Charter School will attempt to do so as appropriate. The Charter School may find it necessary to disclose information regarding the complaint/complainant to the extent required by law or necessary to carry out the investigation or proceedings, as determined by the Director or designee on a case-by-case basis. The Charter School shall ensure that complainants are protected from retaliation.

Compliance Officers

The Board of Directors designates the following compliance officer(s) to receive and investigate complaints and to ensure the Charter School’s compliance with law:

Paul Keefer Executive
Director
1401 El Camino Avenue, Suite 510, Sacramento, CA 95815
866-992-9033, ext. 3000

The Director or designee shall ensure that the compliance officer(s) designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. The compliance officer may have access to legal counsel as determined by the Director or designee.

Should a complaint be filed against the Executive Director, the compliance officer for that case shall be the President of the Charter School Board of Directors.

Notifications

The Charter School shall annually provide written notification of the Charter School’s UCP to students, employees, parents/guardians, advisory committees, private school officials or representatives, and other interested parties, as applicable.

The Director or designee shall make available copies of this Policy free of charge. The annual notice of this Policy may be made available on the Charter School’s website.

The annual notice shall be in English. When necessary under Education Code section 48985, if fifteen (15) percent or more of the students enrolled in the Charter School speak a single primary language other than

English, this annual notice will also be provided to the parent/guardian of any such students in their primary language.

The annual notice shall include the following:

1. A list of the types of complaints that fall under the scope of the UCP and the state and federal provisions that govern complaints regarding child nutrition programs and special education programs.
2. A statement clearly identifying any California State preschool programs that the Charter School is operating as exempt from licensing pursuant to Health and Safety Code section 1596.792(o) and corresponding Title 5 health and safety regulations, and any California State preschool programs that the Charter School is operating pursuant to Title 22 licensing requirements.
3. A statement that the Charter School is primarily responsible for compliance with federal and state laws and regulations.
4. A statement that a pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity.
5. A statement identifying the title of the compliance officer, and the identity(ies) of the person(s) currently occupying that position, if known.
6. A statement that if a UCP complaint is filed directly with the CDE and the CDE determines that it merits direct intervention, the CDE shall complete an investigation and provide a written decision to the complainant within sixty (60) calendar days of receipt of the complaint, unless the parties have agreed to extend the timeline or the CDE documents exceptional circumstances and informs the complainant.
7. A statement that the complainant has a right to appeal the Charter School's decision to the CDE by filing a written appeal within thirty (30) calendar days of the date of the Charter School's decision, except if the Charter School has used its UCP to address a complaint that is not subject to the UCP requirements;
8. A statement that a complainant who appeals the Charter School's decision on a UCP complaint to the CDE shall receive a written appeal decision within sixty (60) calendar days of the CDE's receipt of the appeal, unless extended by written agreement with the complainant or the CDE documents exceptional circumstances and informs the complainant.
9. A statement that if the Charter School finds merit in a UCP complaint, or the CDE finds merit in an appeal, the Charter School shall take corrective actions consistent with the requirements of existing law that will provide a remedy to the affected student and/or parent/guardian as applicable.
10. A statement advising the complainant of any civil law remedies that may be available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable, and of the appeal pursuant to Education Code section 262.3.
11. A statement that copies of the Charter School's UCP shall be available free of charge.

Procedures

The following procedures shall be used to address all complaints which allege that the Charter School has violated federal or state laws or regulations enumerated in the section “Scope,” above. The compliance officer shall maintain a record of each complaint and subsequent related actions for at least three (3) calendar years.

All parties named shall be notified when a complaint is filed, when a complaint meeting or hearing is scheduled, and when a decision or ruling is made.

- **Step 1: Filing of Complaint**

Any individual, including a person’s duly authorized representative or an interested third party, public agency, or organization may file a written complaint of alleged noncompliance or unlawful discrimination, harassment, intimidation or bullying pursuant to this Policy.

A complaint of unlawful discrimination, harassment, intimidation or bullying may be filed by an individual who alleges that that individual has personally suffered unlawful discrimination, harassment, intimidation or bullying or by one who believes any specific class of individuals has been subjected to unlawful discrimination, harassment, intimidation or bullying, or by a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying. An investigation of alleged unlawful discrimination, harassment, intimidation or bullying shall be initiated by filing a complaint no later than six (6) months from the date the alleged discrimination, harassment, intimidation or bullying occurred, or the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation or bullying unless the time for filing is extended by the Executive Director or designee, upon written request by the complainant setting forth the reasons for the extension. Such extension by the Executive Director or designee shall be made in writing. The period for filing may be extended by the Executive Director or designee for good cause for a period not to exceed ninety (90) calendar days following the expiration of the six-month time period. The Executive Director shall respond immediately upon a receipt of a request for extension.

All other complaints under this Policy shall be filed not later than one (1) year from the date the alleged violation occurred. For complaints relating to the LCAP, the date of the alleged violation is the date on which the Charter School Board of Directors approved the LCAP or the annual update was adopted by the Charter School.

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and date stamp.

Complaints filed pursuant to this Policy must be in writing and signed. A signature may be handwritten, typed (including in an email) or electronically generated. Only complaints regarding pupil fees or LCAP compliance may be filed anonymously as set forth in this Policy. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, the Charter School staff shall assist the complainant in the filing of the complaint.

- **Step 2: Mediation**

Within three (3) business days of receiving the complaint, the compliance officer may informally discuss with the complainant the possibility of using mediation. If the complainant agrees to mediation, the compliance officer shall make arrangements for this process.

Before initiating the mediation of an unlawful discrimination, harassment, intimidation or bullying complaint, the compliance officer shall ensure that all parties agree to make the mediator a party to related confidential information.

If the mediation process does not resolve the complaint to the satisfaction of the complainant, the compliance officer shall proceed with the investigation of the complaint.

The use of mediation shall not extend the Charter School's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time.

- **Step 3: Investigation of Complaint**

The compliance officer is encouraged to hold an investigative meeting within five (5) business days of receiving the complaint or an unsuccessful attempt to mediate the complaint. This meeting shall provide an opportunity for the complainant and/or the complainant's representative to repeat the complaint orally.

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

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

The Charter School's refusal to provide the compliance officer with access to records and/or other information related to the allegation in the complaint, or its failure or refusal to cooperate in the investigation or its engagement in any other obstruction of the investigation, may result in a finding, based on evidence collected, that a violation has occurred and may result in the imposition of a remedy in favor of the complainant.

- **Step 4: Final Written Decision**

The Charter School shall issue an investigation report (the "Decision") based on the evidence. The Charter School's Decision shall be in writing and sent to the complainant within sixty (60) calendar days of the Charter School's receipt unless the timeframe is extended with the written agreement of the complainant. The Charter School's Decision shall be written in English and in the language of the complainant whenever feasible or as required by law.

The Decision shall include:

1. The findings of fact based on evidence gathered.

-
2. The conclusion(s) providing a clear determination for each allegation as to whether the Charter School is in compliance with the relevant law.
 3. Corrective actions, if the Charter School finds merit in the complaint and any are warranted or required by law.
 4. Notice of the complainant's right to appeal the Charter School's Decision within thirty (30) calendar days to the CDE, except when the Charter School has used its UCP to address complaints that are not subject to the UCP requirements.
 5. Procedures to be followed for initiating such an appeal.

If an employee is disciplined as a result of the complaint, the Decision shall simply state that effective action was taken and that the employee was informed of the Charter School's expectations. The Decision shall not give any further information as to the nature of the disciplinary action except as required by applicable law.

Appeals to the CDE

If dissatisfied with the Charter School's Decision, the complainant may appeal in writing to the CDE within thirty (30) calendar days of receiving the Charter School's Decision. The appeal shall be accompanied by a copy of the complaint filed with the Charter School and a copy of the Charter School's Decision. When appealing to the CDE, the complainant must specify and explain the basis for the appeal, including at least one of the following:

1. The Charter School failed to follow its complaint procedures.
2. Relative to the allegations of the complaint, [the Charter School's Decision lacks material findings of fact necessary to reach a conclusion of law.
3. The material findings of fact in the Charter School's Decision are not supported by substantial evidence.
4. The legal conclusion in [the Charter School's Decision is inconsistent with the law.
5. In a case in which the Charter School's Decision found noncompliance, the corrective actions fail to provide a proper remedy.

Upon notification by the CDE that the complainant has appealed the Charter School's Decision, the Executive Director or designee shall forward the following documents to the CDE within ten (10) calendar days of the date of notification:

1. A copy of the original complaint.
2. A copy of the Decision.
3. A copy of the investigation file, including but not limited to all notes, interviews, and

documents submitted by the parties or gathered by the investigator.

4. A report of any action taken to resolve the complaint.
5. A copy of the Charter School's complaint procedures.
6. Other relevant information requested by the CDE.

If the CDE determines the appeal raises issues not contained in the local complaint, the CDE will refer those new issues back to the Charter School for resolution as a new complaint. If the CDE notifies the Charter School that its Decision failed to address an allegation raised by the complaint and subject to the UCP process, the Charter School will investigate and address such allegation(s) in accordance with the UCP requirements and provide the CDE and the appellant with an amended Decision addressing such allegation(s) within twenty (20) calendar days of the CDE's notification. The amended Decision will inform the appellant of the right to separately appeal the amended Decision with respect to the complaint allegation(s) not addressed in the original Decision.

Within thirty (30) calendar days of the date of the CDE's appeal Decision pursuant to 5 C.C.R. section 4633(f)(2) or (3), either party may request reconsideration by the State Superintendent of Public Instruction ("SSPI") or the SSPI's designee. The request for reconsideration shall specify and explain the reason(s) for contesting the findings of fact, conclusions of law, or corrective actions in the CDE's appeal Decision. The SSPI will not consider any information not previously submitted to the CDE by a party during the appeal unless such information was unknown to the party at the time of the appeal and, with due diligence, could not have become known to the party. Pending the SSPI's response to a request for reconsideration, the CDE appeal Decision remains in effect and enforceable, unless stayed by a court.

The CDE may directly intervene in the complaint without waiting for action by the Charter School when one of the conditions listed in Title 5, California Code of Regulations (CCR), Section 4650 exists, including but not limited to cases in which through no fault of the complainant the Charter School has not taken action within sixty (60) days of the date the complaint was filed with the Charter School.

Civil Law Remedies

A complainant may pursue available civil law remedies outside of the Charter School's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders. For unlawful discrimination complaints arising under state law, however, a complainant must wait until sixty (60) calendar days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies. The moratorium does not apply to injunctive relief and is applicable only if the Charter School has appropriately, and in a timely manner, apprised the complainant of their right to file a complaint.

PACIFIC CHARTER INSTITUTE

UNIFORM COMPLAINT PROCEDURE FORM

Last Name: _____ First Name/MI: _____
Student Name (if applicable): _____ Grade: _____ Date of Birth: _____
Street Address/Apt. #: _____
City: _____ State: _____ Zip Code: _____
Home Phone: _____ Cell Phone: _____ Work Phone: _____
School/Office of Alleged Violation: _____

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

- | | | |
|--|--|---|
| <input type="checkbox"/> Career Technical and Technical Education/Career Technical and Technical Training | <input type="checkbox"/> Consolidated Categorical Programs | <input type="checkbox"/> Special Education |
| <input type="checkbox"/> Child Care and Development | <input type="checkbox"/> Migrant Education | <input type="checkbox"/> Local Control Funding Formula/ Local Control and Accountability Plan |
| <input type="checkbox"/> Education of Students in Foster Care, Students who are Homeless, former Juvenile Court Students now enrolled in a Public School, Migratory Children and Children of Military Families | <input type="checkbox"/> Pupil Fees | <input type="checkbox"/> School Safety Plan |
| | <input type="checkbox"/> Every Student Succeeds Act | <input type="checkbox"/> Pregnant, Parenting or Lactating Students |
| | <input type="checkbox"/> School Plans for School Achievement | |

For allegation(s) of unlawful discrimination, harassment, intimidation or bullying please check the basis of the unlawful discrimination, harassment, intimidation or bullying described in your complaint, if applicable:

- | | | |
|--|---|--|
| <input type="checkbox"/> Age | <input type="checkbox"/> Gender / Gender Expression / Gender Identity | <input type="checkbox"/> Sex (Actual or Perceived) |
| <input type="checkbox"/> Ancestry | <input type="checkbox"/> Genetic Information | <input type="checkbox"/> Sexual Orientation (Actual or Perceived) |
| <input type="checkbox"/> Color | <input type="checkbox"/> Nationality/National Origin | <input type="checkbox"/> Marital Status |
| <input type="checkbox"/> Disability (Mental or Physical) | <input type="checkbox"/> Race or Ethnicity | <input type="checkbox"/> Based on association with a person or group with one or more of these actual or perceived characteristics |
| <input type="checkbox"/> Ethnic Group Identification | <input type="checkbox"/> Religion | |
| <input type="checkbox"/> Medical Condition | | |
| <input type="checkbox"/> Immigration Status/Citizenship | | |

1. Please give facts about the complaint. Provide details such as the names of those involved, dates, whether witnesses were present, etc., that may be helpful to the complaint investigator.

2. Have you discussed your complaint or brought your complaint to any Charter School personnel? If you have, to whom did you take the complaint, and what was the result?

3. Please provide copies of any written documents that may be relevant or supportive of your complaint.

I have attached supporting documents. Yes No

Signature: _____ Date: _____

Mail complaint and any relevant documents to:

Paul Keefer
Executive Director
1401 El Camino Avenue, Suite 510, Sacramento, CA 95815
866-992-9033, ext. 3000



Pacific Charter Institute

Heritage Peak Charter School • Rio Valley Charter School • Valley View Charter Prep • Sutter Peak Charter Academy

BOARD OF DIRECTORS MEETING

DATE: September 10, 2020

AGENDA ITEM: #4.8 – 2020 Learning, Continuity, and Attendance Plan (LCP): Heritage Peak Charter School, Rio Valley Charter School, Sutter Peak Charter Academy, Valley View Charter Prep

Background:

The school directors will present the plans collectively. The Learning Continuity and Attendance Plan (Learning Continuity Plan) is a key part of the overall budget package for K-12 that seeks to address funding stability for schools while providing information at the local educational agency (LEA) level for how student learning continuity will be addressed during the COVID-19 crisis in the 2020–21 school year. The provisions for the plan were approved by the Governor and Legislature in June in SB 98 and can be found in *EC* Section 43509.

The Learning Continuity Plan is intended to balance the needs of all stakeholders, including educators, parents, students and community members, while both streamlining engagement and condensing several preexisting plans. In particular, it was important to combine (1) the intent behind Executive Order N-56-20, published in April 2020, which envisioned an off cycle Local Control and Accountability Plan (LCAP) due December 15th, and (2) the ongoing need for LEAs to formally plan to return to school in the midst of the uncertainty and of COVID-19, without requiring two plans. The Learning Continuity Plan replaces the LCAP for the 2020–21 school year.

<https://www.cde.ca.gov/re/lc/learningcontattendplan.asp>

The continuity plans for the four schools can be found in the September 9, 2020 Board packet.

RECOMMENDED ACTION:

Board of Directors adopt the Learning Continuity Plans.



Pacific Charter Institute

Heritage Peak Charter School • Rio Valley Charter School • Valley View Charter Prep • Sutter Peak Charter Academy

BOARD OF DIRECTORS MEETING

DATE: September 10, 2020

AGENDA ITEM: #5.1 – 2019/20 Unaudited Actuals Report

Background:

Mr. Larry Pastore, Corporate Accountant, will present and discuss this item. The due dates for the annual financial statements (unaudited actuals reports) are specified in *Education Code* sections 1628 (for counties) and 42100 (for districts). The dates are (a) September 15 for district reports to be submitted to the county offices and county office reports to be submitted to the Superintendent of Public Instruction (SPI) and (b) October 15 for county offices to submit their districts' reports to the SPI.

RECOMMENDED ACTION:

Board of Directors approve the 2019/20 Unaudited Actuals.

PACIFIC CHARTER INSTITUTE

Unaudited Actuals

2019-20

1401 El Camino Avenue

Sacramento, CA 95815

866-992-9033

Pacific Charter Institute
Statement of Revenues, Expenditures and Changes in Fund Balance
Unaudited Actuals
2019-20

	Heritage Peak			Rio Valley	Valley View	Sutter Peak	Combined
	Admin.	School Operations	Combined				
Revenues:							
LCFF Sources		\$10,095,255	\$10,095,255	\$8,202,198	\$5,377,943	\$5,309,693	\$28,985,089
Federal		343,289	343,289	192,660	74,395	74,928	685,272
State		906,691	906,691	548,771	342,503	308,438	2,106,403
Local		416,482	416,482	438,376	335,571	301,358	1,491,787
		11,761,717	11,761,717	9,382,005	6,130,412	5,994,417	33,268,551
Expenditures:							
Certificated Salaries	\$ 367,603	6,421,749	6,789,352	2,956,720	1,641,855	1,625,383	13,013,310
Classified Salaries	1,304,967	513,771	1,818,738	203,032	219,865	95,855	2,337,490
Employee Benefits	746,578	2,750,482	3,497,060	1,464,463	836,297	640,591	6,438,411
Books & Supplies	121,059	1,138,117	1,259,176	860,511	392,723	608,164	3,120,574
Services	1,516,538	1,711,105	3,227,643	1,409,836	1,523,157	1,139,467	7,300,103
Capital Outlay	0	116,492	116,492	49,434	58,023	0	223,949
Other Outgo	0	302,974	302,974	71,993	53,826	212,746	641,539
Debt Service - Principal	0	0	0	0	0	0	0
Debt Service - Interest	0	0	0	0	0	0	0
PCI Cost Allocation:							
Administrative	(4,056,745)	1,396,538	(2,660,207)	1,086,762	808,384	765,061	0
Instructional	0	(790,439)	(790,439)	322,914	240,199	227,326	0
Special Education	0	(1,652,478)	(1,652,478)	909,955	363,982	378,541	0
	0	11,908,311	11,908,311	9,335,620	6,138,311	5,693,134	33,075,376
Excess	0	(146,594)	(146,594)	46,385	(7,899)	301,283	193,175
Fund Balance, Beginning	0	4,359,133	4,359,133	2,566,080	446,592	1,088,764	8,460,569
Fund Balance, Ending	\$0	\$4,212,539	\$4,212,539	\$2,612,465	\$438,693	\$1,390,047	\$8,653,744
Components of Ending Fund Balance:							
Designated Amounts:							
Reserve for Economic Uncertainty		\$595,416	\$595,416	\$466,781	\$306,916	\$284,657	\$1,653,769
Prepaid Expenditures		103,797	103,797	71,385	12,840	22,020	210,042
Restricted		0	0	0	0	0	0
Unappropriated		3,513,326	3,513,326	2,074,299	118,937	1,083,370	6,789,933
	\$0	\$4,212,539	\$4,212,539	\$2,612,465	\$438,693	\$1,390,047	\$8,653,744

Heritage Peak Charter School
Statement of Revenues, Expenditures and Changes in Fund Balance
Unaudited Actuals
2019-20

	Budget	Actual
Revenues:		
LCFF Sources	\$10,130,075	\$10,095,255
Federal	261,023	343,289
State	262,248	906,691
Local	518,823	416,482
	11,172,169	11,761,717
Expenditures:		
Certificated Salaries	6,411,606	6,421,749
Classified Salaries	419,043	513,771
Employee Benefits	2,279,322	2,750,482
Books & Supplies	1,193,623	1,138,117
Services	1,575,493	1,711,105
Capital Outlay	116,492	116,492
Other Outgo	302,974	302,974
Debt Service - Principal	0	0
Debt Service - Interest	0	0
PCI Cost Allocation:		
Administrative	1,352,665	1,396,538
Instructional	(720,283)	(790,439)
Special Education	(1,400,127)	(1,652,478)
	11,530,808	11,908,311
Excess	(358,639)	(146,594)
Fund Balance, Beginning	4,359,133	4,359,133
Fund Balance, Ending	\$4,000,494	\$4,212,539
Components of Ending Fund Balance:		
Designated Amounts:		
Reserve for Economic Uncertainty	\$576,540	\$595,416
Prepaid Expenditures	0	103,797
Restricted	0	0
Unappropriated	3,423,954	3,513,326
	\$4,000,494	\$4,212,539

Heritage Peak Charter School
 Revenue Detail
 Unaudited Actuals
 2019-20

	<u>Object</u>	<u>Resource</u>	
<u>LCFF Sources:</u>			
LCFF	8011	0000	\$7,393,233
EPA	8012	1400	991,268
In-Lieu Property Taxes	8096	0000	1,710,754
Total Revenue Limit			<u>10,095,255</u>
<u>Federal:</u>			
Title I Part A	8290	3010	219,700
Title II Part A	8290	4035	31,267
Title IV Part A	8290	4127	16,898
Special Education	8181	3310	75,424
			<u>343,289</u>
<u>State:</u>			
Mandate Block Grant	8550	0000	29,108
Lottery	8560	1100	231,687
Medi-Cal Billing	8590	5640	16,223
STRS On Behalf	8590	7690	626,251
Other State	8590	0000	3,422
Total State Revenue			<u>906,691</u>
<u>Local:</u>			
Special Education	8792	6500	415,930
Other Local	8699	0000	552
Total Local Revenue			<u>416,482</u>
			<u>\$11,761,717</u>

Rio Valley Charter School
Statement of Revenues, Expenditures and Changes in Fund Balance
Unaudited Actuals
2019-20

	<u>Budget</u>	<u>Actual</u>
<u>Revenues:</u>		
LCFF Sources	\$8,180,847	\$8,202,198
Federal	177,846	192,660
State	208,152	548,771
Local	411,541	438,376
	<u>8,978,386</u>	<u>9,382,005</u>
<u>Expenditures:</u>		
Certificated Salaries	2,942,896	2,956,720
Classified Salaries	182,554	203,032
Employee Benefits	1,167,199	1,464,463
Books & Supplies	764,846	860,511
Services	1,302,030	1,409,836
Capital Outlay	56,000	49,434
Other Outgo	82,961	71,993
Debt Service - Principal	0	0
Debt Service - Interest	0	0
PCI Cost Allocation:		
Administrative	1,055,363	1,086,762
Instructional	293,118	322,914
Special Education	815,185	909,955
	<u>8,662,152</u>	<u>9,335,620</u>
Excess	316,234	46,385
Fund Balance, Beginning	2,566,080	2,566,080
Fund Balance, Ending	<u>\$2,882,314</u>	<u>\$2,612,465</u>
<u>Components of Ending Fund Balance:</u>		
Designated Amounts:		
Reserve for Economic Uncertainty (5%)	\$433,108	\$466,781
Prepaid Expenditures	0	71,385
Restricted	0	0
Unappropriated	2,449,206	2,074,299
	<u>\$2,882,314</u>	<u>\$2,612,465</u>

Rio Valley Charter School
 Revenue Detail
 Unaudited Actuals
 2019-20

	<u>Object</u>	<u>Resource</u>	
<u>LCFF Sources:</u>			
LCFF	8011	0000	\$5,843,647
EPA	8012	1400	780,159
In-Lieu Property Taxes	8096	0000	1,578,392
Total Revenue Limit			<u>8,202,198</u>
 <u>Federal:</u>			
Title I Part A	8290	3010	154,851
Title II Part A	8290	4035	27,318
Title IV Part A	8290	4127	10,491
Total Federal Revenue			<u>192,660</u>
 <u>State:</u>			
Mandate Block Grant	8550	0000	25,839
Lottery	8560	1100	180,496
STRS On Behalf	8590	7690	337,406
Specialized Secondary Programs	8590	7370	2,250
Other State	8590	0000	2,780
Total State Revenue			<u>548,771</u>
 <u>Local:</u>			
Special Education	8792	6500	430,137
Interest	8660	0000	5,791
Other Local	8699	0000	2,448
Total Local Revenue			<u>438,376</u>
			<u><u>\$9,382,005</u></u>

Valley View Charter Prep
Statement of Revenues, Expenditures and Changes in Fund Balance
Unaudited Actuals
2019-20

	Budget	Actual
<u>Revenues:</u>		
LCFF Sources	\$5,382,558	\$5,377,943
Federal	76,875	74,395
State	147,465	342,503
Local	333,945	335,571
	5,940,843	6,130,412
 <u>Expenditures:</u>		
Certificated Salaries	1,622,449	1,641,855
Classified Salaries	207,455	219,865
Employee Benefits	629,141	836,297
Books & Supplies	423,250	392,723
Services	1,440,750	1,523,157
Capital Outlay	60,000	58,023
Other Outgo	54,411	53,826
Debt Service - Principal	0	0
Debt Service - Interest	0	0
PCI Cost Allocation:		
Administrative	791,522	808,384
Instructional	219,838	240,199
Special Education	298,694	363,982
	5,747,510	6,138,311
 Excess	 193,333	 (7,899)
 Fund Balance, Beginning	 446,592	 446,592
 Fund Balance, Ending	 \$639,925	 \$438,693
 <u>Components of Ending Fund Balance:</u>		
Designated Amounts:		
Reserve for Economic Uncertainty (5%)	\$287,376	\$306,916
Prepaid Expenditures	0	12,840
Restricted	0	0
Unappropriated	352,550	118,937
	\$639,925	\$438,693

**Valley View Charter Prep
Revenue Detail
Unaudited Actuals
2019-20**

	<u>Object</u>	<u>Resource</u>	
<u>LCFF Sources:</u>			
LCFF	8011	0000	\$5,180,497
EPA	8012	1400	122,144
In-Lieu Property Taxes	8096	0000	75,302
Total Revenue Limit			<u>5,377,943</u>
 <u>Federal:</u>			
Special Education	8181	3310	74,395
Total Federal Revenue			<u>74,395</u>
 <u>State:</u>			
Mandate Block Grant	8550	0000	11,756
Lottery	8560	1100	132,905
STRS On Behalf	8590	7690	196,660
Other State	8590	0000	1,182
Total State Revenue			<u>342,503</u>
 <u>Local:</u>			
Special Education	8792	6500	331,175
Interest	8660	0000	3,996
Other Local	8699	0000	400
Total Local Revenue			<u>335,571</u>
			<u><u>\$6,130,412</u></u>

Sutter Peak Charter Academy
Statement of Revenues, Expenditures and Changes in Fund Balance
Unaudited Actuals
2019-20

	<u>Budget</u>	<u>Actual</u>
<u>Revenues:</u>		
LCFF Sources	\$5,297,505	\$5,309,693
Federal	73,750	74,928
State	143,576	308,438
Local	320,370	301,358
	<u>5,835,201</u>	<u>5,994,417</u>
<u>Expenditures:</u>		
Certificated Salaries	1,633,969	1,625,383
Classified Salaries	105,215	95,855
Employee Benefits	526,340	640,591
Books & Supplies	629,500	608,164
Services	1,110,988	1,139,467
Capital Outlay	0	0
Other Outgo	211,854	212,746
Debt Service - Principal	0	0
Debt Service - Interest	0	0
PCI Cost Allocation:		
Administrative	746,476	765,061
Instructional	207,327	227,326
Special Education	286,248	378,541
	<u>5,457,917</u>	<u>5,693,134</u>
Excess	377,284	301,283
Fund Balance, Beginning	1,088,764	1,088,764
Fund Balance, Ending	<u>\$1,466,048</u>	<u>\$1,390,047</u>
<u>Components of Ending Fund Balance:</u>		
Designated Amounts:		
Reserve for Economic Uncertainty	\$272,896	\$284,657
Prepaid Expenditures	0	22,020
Restricted	0	0
Unappropriated	1,193,152	1,083,370
	<u>\$1,466,048</u>	<u>\$1,390,047</u>

**Sutter Peak Charter Academy
Revenue Detail
Unaudited Actuals
2019-20**

	<u>Object</u>	<u>Resource</u>	
<u>LCFF Sources:</u>			
LCFF	8011	0000	\$4,977,129
EPA	8012	1400	115,598
In-Lieu Property Taxes	8096	0000	216,966
Total Revenue Limit			<u>5,309,693</u>
<u>Federal:</u>			
Special Education	8181	3310	74,928
			<u>74,928</u>
<u>State:</u>			
Mandate Block Grant	8550	0000	12,849
Lottery	8560	1100	126,382
STRS On Behalf	8590	7690	169,117
Other State	8590	0000	90
Total State Revenue			<u>308,438</u>
<u>Local:</u>			
Special Education	8792	6500	301,358
Total Local Revenue			<u>301,358</u>
			<u><u>\$5,994,417</u></u>



Pacific Charter Institute

Heritage Peak Charter School • Rio Valley Charter School • Valley View Charter Prep • Sutter Peak Charter Academy

BOARD OF DIRECTORS MEETING

DATE: September 10, 2020

AGENDA ITEM: #5.2- 2020-2021 Consolidated Application: Heritage Peak Charter School

Background:

Mr. Larry Pastore, Corporate Accountant, will present and discuss the 2020-2021 Consolidated Application for Heritage Peak Charter School. The Consolidated Application (ConApp) is used by the California Department of Education (CDE) to distribute categorical funds from various federal programs to county offices, school districts, and direct-funded charter schools throughout California.

RECOMMENDED ACTION:

The Board of Directors approve the 2020-2021 Consolidated Application.

2020-21 Application for Funding

CDE Program Contact:

Consolidated Application Support Desk, Education Data Office, conappsupport@cde.ca.gov, 916-319-0297

Local Governing Board Approval

The local educational agency (LEA) is required to review and receive approval of their Application for Funding selections with their local governing board.

Date of approval by local governing board	08/31/2020
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District English Learner Advisory Committee Review

Per Title 5 of the California Code of Regulations Section 11308, if your LEA has more than 50 English learners, then the LEA must establish a District English Learner Advisory Committee (DELAC) which shall review and advise on the development of the application for funding programs that serve English learners.

DELAC representative's full name (non-LEA employee)	
DELAC review date	
Meeting minutes web address Please enter the web address of DELAC review meeting minutes (format http://SomeWebsiteName.xxx). If a web address is not available, then the LEA must keep the minutes on file which indicate that the application was reviewed by the committee.	
DELAC comment If an advisory committee refused to review the application, or if DELAC review is not applicable, enter a comment. (Maximum 500 characters)	DELAC is not required.

Application for Categorical Programs

To receive specific categorical funds for a school year, the LEA must apply for the funds by selecting Yes below. Only the categorical funds that the LEA is eligible to receive are displayed.

Title I, Part A (Basic Grant) ESSA Sec. 1111 et seq. SACS 3010	Yes
Title II, Part A (Supporting Effective Instruction) ESEA Sec. 2104 SACS 4035	Yes
Title III English Learner ESEA Sec. 3102 SACS 4203	No
Title III Immigrant ESEA Sec. 3102 SACS 4201	No

*****Warning*****

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2020-21 Application for Funding

CDE Program Contact:

Consolidated Application Support Desk, Education Data Office, conappsupport@cde.ca.gov, 916-319-0297

Title IV, Part A (Student and School Support) ESSA Sec. 4101 SACS 4127	Yes
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Pacific Charter Institute

Heritage Peak Charter School • Rio Valley Charter School • Valley View Charter Prep • Sutter Peak Charter Academy

BOARD OF DIRECTORS MEETING

DATE: September 10, 2020

AGENDA ITEM: #5.3- 2020-2021 Consolidated Application: Rio Valley Charter School

Background:

Mr. Larry Pastore, Corporate Accountant, will present and discuss the 2020-2021 Consolidated Application for Rio Valley Charter School. The Consolidated Application (ConApp) is used by the California Department of Education (CDE) to distribute categorical funds from various federal programs to county offices, school districts, and direct-funded charter schools throughout California.

RECOMMENDED ACTION:

The Board of Directors approve the 2020-2021 Consolidated Application.

2020-21 Application for Funding

CDE Program Contact:

Consolidated Application Support Desk, Education Data Office, conappsupport@cde.ca.gov, 916-319-0297

Local Governing Board Approval

The local educational agency (LEA) is required to review and receive approval of their Application for Funding selections with their local governing board.

Date of approval by local governing board	08/31/2020
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District English Learner Advisory Committee Review

Per Title 5 of the California Code of Regulations Section 11308, if your LEA has more than 50 English learners, then the LEA must establish a District English Learner Advisory Committee (DELAC) which shall review and advise on the development of the application for funding programs that serve English learners.

DELAC representative's full name (non-LEA employee)	
DELAC review date	
Meeting minutes web address Please enter the web address of DELAC review meeting minutes (format http://SomeWebsiteName.xxx). If a web address is not available, then the LEA must keep the minutes on file which indicate that the application was reviewed by the committee.	
DELAC comment If an advisory committee refused to review the application, or if DELAC review is not applicable, enter a comment. (Maximum 500 characters)	DELAC is not required.

Application for Categorical Programs

To receive specific categorical funds for a school year, the LEA must apply for the funds by selecting Yes below. Only the categorical funds that the LEA is eligible to receive are displayed.

Title I, Part A (Basic Grant) ESSA Sec. 1111 et seq. SACS 3010	Yes
Title II, Part A (Supporting Effective Instruction) ESEA Sec. 2104 SACS 4035	Yes
Title III English Learner ESEA Sec. 3102 SACS 4203	No
Title III Immigrant ESEA Sec. 3102 SACS 4201	No

*****Warning*****

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2020-21 Application for Funding

CDE Program Contact:

Consolidated Application Support Desk, Education Data Office, conappsupport@cde.ca.gov, 916-319-0297

Title IV, Part A (Student and School Support) ESSA Sec. 4101 SACS 4127	Yes
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Warning

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Pacific Charter Institute

Heritage Peak Charter School • Rio Valley Charter School • Valley View Charter Prep • Sutter Peak Charter Academy

BOARD OF DIRECTORS MEETING

DATE: September 10, 2020

AGENDA ITEM: #5.4- Umpqua Resolution

Background:

Ms. Danielle Franco-Matteoli, Business Manager, will present and discuss the Umpqua Resolution for PCI. The business manager and the corporate accountant evaluated banking opportunities for Pacific Charter Institute and determined better terms and benefits will be provided by Umpqua Bank. This includes a line of credit that will be essential with the potential of deferrals beginning in the spring of 2021.

RECOMMENDED ACTION:

The Board of Directors approve the Umpqua Resolution.



Pacific Charter Institute

A RESOLUTION OF THE BOARD OF DIRECTORS OF PACIFIC CHARTER INSTITUTE AUTHORIZING THE EXECUTIVE DIRECTOR TO OBTAIN NECESSARY LINES OF CREDIT AND PARTICIPATE IN THE UMPQUA CREDIT CARD PROGRAM

WHEREAS, significant cash deferrals may occur in the future and these cash deferrals may cause cash flow challenges for Pacific Charter Institute, and

WHEREAS, Credit cards are mechanisms for purchasing goods and services for the convenience of Pacific Charter Institute, and

WHEREAS, Pacific Charter Institute has a standard practice of procedures for using credit cards,

NOW THEREFORE BE IT RESOLVED, that the Governing Board of Pacific Charter Institute directs the following actions:

- a. The Executive Director shall be authorized to obtain necessary lines of credit, including a line of credit from Umpqua Bank in the amount of \$4,000,000, and shall be authorized to execute loan documents and to pledge security (including the apportionment payments) as required by Umpqua Bank in connection with such line of credit, and deposit cash as needed into the school's checking account to support continuity of school operations
- b. Authorize participation with Umpqua Bank in the Pacific Charter Institute Credit Card program
- c. Authorize Paul Keefer, Executive Director, or Danielle Franco-Matteoli, Business Manager, or Larry Pastore, Corporate Accountant to add new participants or cancel former employees in connection with the credit card program



Pacific Charter Institute

BE IT FURTHER RESOLVED, that this Resolution shall be effective September 10, 2020 upon adoption.

PASSED AND ADOPTED THIS 10th day of September, 2020.

Resolution of the Board of Directors of Pacific Charter Institute

AYES: _____ NOES: _____ ABSENT: _____

I, _____, Secretary of the Board of Directors for Pacific Charter Institute of Sacramento County, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the said Board at a regular meeting thereof held at its regular place of meeting at the time and by the vote above stated, which resolution is on file in the office of the said Board.

Judy Miller, Secretary of the Board



Pacific Charter Institute

Heritage Peak Charter School • Rio Valley Charter School • Valley View Charter Prep • Sutter Peak Charter Academy

BOARD OF DIRECTORS MEETING

DATE: September 10, 2020

AGENDA ITEM: #5.5- Prop 30 Education Protection Act (EPA) 2020-2021

Background:

Mr. Larry Pastore, Corporate Accountant, will present and discuss the EPA. Education Protection Account (EPA) is a component of the Local Control Funding Formula (LCFF).

EPA is estimated as follows for 2020-21:

Heritage Peak Charter School - \$1,450,087

Rio Valley Charter School - \$1,141,542

Valley View Charter Prep - \$122,144

Sutter Peak Charter Academy - \$115,598

These funds will be used for teacher salaries.

RECOMMENDED ACTION:

The Board of Directors approve the EPA.



Pacific Charter Institute

Heritage Peak Charter School • Rio Valley Charter School • Valley View Charter Prep • Sutter Peak Charter Academy

BOARD OF DIRECTORS MEETING

DATE: September 10, 2020

AGENDA ITEM: #5.6 – Board of Directors Election of Officers

Background:

Officers of the Board of Directors are elected on a yearly basis.

The positions include: President, Vice President, Secretary and Treasurer.

The current Board officers are:

President:	Beth Kay
Vice President:	Dr. Rex Fortune
Secretary:	Judy Miller
Treasurer:	Jean-Paul Prentice

RECOMMENDED ACTION:

Board of Directors elect officers of the board for the 2020-2021 school year.



Pacific Charter Institute

Heritage Peak Charter School • Rio Valley Charter School • Valley View Charter Prep • Sutter Peak Charter Academy

BOARD OF DIRECTORS MEETING

DATE: September 10, 2020

AGENDA ITEM: #6.1 – 2020 -2021 Budget Update

Background:

Mr. Larry Pastore, Corporate Accountant, will present and discuss the budget update for PCI.

RECOMMENDED ACTION:

Information only, no action required.

Pacific Charter Institute
Statement of Revenues, Expenditures and Changes in Fund Balance
Revised Budget
2020-21

	<u>Heritage Peak</u>		<u>Rio Valley</u>	<u>Valley View</u>	<u>Sutter Peak</u>	<u>Combined</u>	
	<u>Admin.</u>	<u>School Operations</u>					<u>Combined</u>
Revenues:							
LCFF Sources		\$10,130,075	\$10,130,075	\$8,180,847	\$5,382,558	\$5,297,505	\$28,990,985
Federal		261,023	261,023	177,846	85,375	78,250	602,494
State		276,531	276,531	215,811	161,541	151,028	804,911
Local		504,161	504,161	411,541	370,869	339,918	1,626,489
Other Financing Sources		0	0	0	0	0	0
		<u>11,171,790</u>	<u>11,171,790</u>	<u>8,986,045</u>	<u>6,000,343</u>	<u>5,866,701</u>	<u>32,024,879</u>
Expenditures:							
Certificated Salaries	\$ 309,602	6,369,175	6,678,777	2,972,941	1,725,376	1,647,747	13,024,841
Classified Salaries	1,390,685	469,593	1,860,278	197,427	178,476	95,855	2,332,036
Employee Benefits	755,585	2,143,914	2,899,500	1,115,091	628,915	480,451	5,123,956
Books & Supplies	85,000	953,150	1,038,150	669,450	773,050	902,900	3,383,550
Services	1,446,000	1,423,150	2,869,150	1,397,450	1,212,550	1,057,350	6,536,500
Capital Outlay	0	0	0	0	0	0	0
Other Outgo	0	303,902	303,902	81,808	53,826	211,900	651,437
Debt Service - Principal	0	0	0	0	0	0	0
Debt Service - Interest	0	0	0	0	0	0	0
PCI Cost Allocation:							
Administrative	(3,986,872)	1,358,085	(2,628,787)	1,040,106	828,929	759,751	0
Instructional	0	(722,605)	(722,605)	285,906	227,858	208,842	0
Special Education	0	(1,437,992)	(1,437,992)	791,846	316,738	329,408	0
	<u>0</u>	<u>10,860,372</u>	<u>10,860,372</u>	<u>8,552,027</u>	<u>5,945,717</u>	<u>5,694,204</u>	<u>31,052,320</u>
Excess	0	311,418	311,418	434,018	54,626	172,497	972,559
Fund Balance, Beginning	0	4,212,539	4,212,539	2,612,465	438,693	1,390,047	8,653,744
Fund Balance, Ending	<u>\$0</u>	<u>\$4,523,957</u>	<u>\$4,523,957</u>	<u>\$3,046,483</u>	<u>\$493,319</u>	<u>\$1,562,544</u>	<u>\$9,626,303</u>
Components of Ending Fund Balance:							
Designated Amounts:							
Reserve for Economic Uncertainty		\$543,019	\$543,019	\$427,601	\$297,286	\$284,710	\$1,552,616
Restricted		0	0	0	0	0	0
Unappropriated		3,980,938	3,980,938	2,618,882	196,033	1,277,834	8,073,687
	<u>\$0</u>	<u>\$4,523,957</u>	<u>\$4,523,957</u>	<u>\$3,046,483</u>	<u>\$493,319</u>	<u>\$1,562,544</u>	<u>\$9,626,303</u>

Pacific Charter Institute
Cashflow Worksheet

2020-21

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Accruals	Total
Beginning Cash	\$3,000,495	\$6,114,887	\$4,941,680	\$5,627,365	\$6,590,335	\$6,720,904	\$7,597,213	\$7,747,382	\$5,502,461	\$3,475,579	\$1,559,211	(\$715,326)		
Receipts:														
LCFF Sources:														
LCFF	1,175,083	1,175,083	2,115,149	2,115,149	2,115,149	2,115,149	2,115,149	0	0	0	0	0	10,875,744	23,501,653
EPA	0	0	707,343	0	0	707,343	0	0	0	0	0	0	568,761	1,983,446
In-Lieu Property Taxes	0	209,283	418,566	279,044	279,044	279,044	279,044	279,044	494,272	247,136	247,136	247,136	247,136	3,505,886
Federal	0	0	2,191	0	0	0	149,156	0	4,180	204,076	0	0	242,911	602,494
State	0	110	20	12,934	(19,303)	79,707	168,323	63,626	3,538	164,910	0	0	325,978	799,843
Local	0	30,010	30,110	66,033	55,797	52,849	26,190	102	58,841	55,204	66,020	66,020	1,124,381	1,631,557
Other Financing Sources	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	<u>1,175,083</u>	<u>1,414,486</u>	<u>3,273,379</u>	<u>2,473,160</u>	<u>2,430,687</u>	<u>3,234,092</u>	<u>2,737,862</u>	<u>342,772</u>	<u>560,811</u>	<u>671,326</u>	<u>313,156</u>	<u>313,156</u>	<u>13,084,910</u>	<u>32,024,879</u>
Disbursements:														
Certificated Salaries	1,085,403	1,085,403	1,085,403	1,085,403	1,085,403	1,085,403	1,085,403	1,085,403	1,085,403	1,085,403	1,085,403	1,085,403	0	13,024,841
Classified Salaries	194,336	194,336	194,336	194,336	194,336	194,336	194,336	194,336	194,336	194,336	194,336	194,336	0	2,332,036
Employee Benefits	426,996	426,996	426,996	426,996	426,996	426,996	426,996	426,996	426,996	426,996	426,996	426,996	0	5,123,956
Books, Supplies & Services	826,671	826,671	826,671	826,671	826,671	826,671	826,671	826,671	826,671	826,671	826,671	826,671	0	9,920,050
Capital Outlay	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other Outgo	54,286	54,286	54,286	54,286	54,286	54,286	54,286	54,286	54,286	54,286	54,286	54,286	0	651,437
Debt Service - Principal	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Debt Service - Interest	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	<u>2,587,693</u>	<u>2,587,693</u>	<u>2,587,693</u>	<u>2,587,693</u>	<u>2,587,693</u>	<u>2,587,693</u>	<u>2,587,693</u>	<u>2,587,693</u>	<u>2,587,693</u>	<u>2,587,693</u>	<u>2,587,693</u>	<u>2,587,693</u>	<u>0</u>	<u>31,052,320</u>
Prior-Year Transactions:														
Accounts Receivable	5,090,844	0	0	1,077,503	287,576	229,911	0	0	0	0	0	0	0	6,685,834
Accounts Payable	563,841	0	0	0	0	0	0	0	0	0	0	0	468,744	1,032,585
	<u>4,527,003</u>	<u>0</u>	<u>0</u>	<u>1,077,503</u>	<u>287,576</u>	<u>229,911</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>(468,744)</u>	<u>5,653,249</u>
Net Increase (Decrease)	<u>3,114,392</u>	<u>(1,173,208)</u>	<u>685,685</u>	<u>962,970</u>	<u>130,570</u>	<u>876,309</u>	<u>150,169</u>	<u>(2,244,921)</u>	<u>(2,026,882)</u>	<u>(1,916,387)</u>	<u>(2,274,537)</u>	<u>(2,274,537)</u>	<u>12,616,166</u>	
Ending Cash	<u>\$6,114,887</u>	<u>\$4,941,680</u>	<u>\$5,627,365</u>	<u>\$6,590,335</u>	<u>\$6,720,904</u>	<u>\$7,597,213</u>	<u>\$7,747,382</u>	<u>\$5,502,461</u>	<u>\$3,475,579</u>	<u>\$1,559,211</u>	<u>(\$715,326)</u>	<u>(\$2,989,863)</u>		
Ending Cash plus Accruals														<u>\$9,626,303</u>



Pacific Charter Institute

Heritage Peak Charter School • Rio Valley Charter School • Valley View Charter Prep • Sutter Peak Charter Academy

BOARD OF DIRECTORS MEETING

DATE: September 10, 2020

AGENDA ITEM: #6.2 – 2020 -2021 Reopening Update

Background:

Dr. Paul Keefer, Executive Director, will present and discuss the reopening of the PCI resource centers. Pacific Charter Institute continues to adhere to the current regulations regarding COVID-19 adherence. This presentation is in regard to the most current status of PCI in relation to COVID-19 including the resource centers, vendors, multi-county management of programs, and staff interaction with families.

RECOMMENDED ACTION:

Information only, no action required.