

Board Meeting Packet April 11, 2024

March 14, 2024 at 4:30 PM

Big Sur Charter School, 304 Foam St, Monterey CA, 93940

Individuals who require special accommodation, including but not limited to an American sign language interpreter, accessible seating or documentation in accessible formats, should contact the School Director or designee at least two days before the meeting. The meeting may be attended virtually using the following Zoom link: https://bigsurcharterschool-org.zoom.us/j/85963352790?pwd=eWJoOWFCb1FFaWI2MzVZRlh5YXFtOT09

I. OPENING BUSINESS

- 1. Call to Order @ 4:39 PM
- 2. Roll Call

Board Members Present: Chad Bollmann, Chantel Kjellgren, Jennifer Ross, Jessica Ramey-Herne (remote due to illness), Suzy Graybill, Rachel Black (arrived late at 4:47 PM), Nathan Nunez Board Members Absent: None

Others in Attendance: Aimee Alling (School Director), Courtney Stubbs (remote)

- 3. Action to Add New Items Since Posting of Agenda (2/3 Majority): None
- 4. Adoption of Agenda

Motion to Adopt: Suzy Graybill Second: Jennifer Ross All in Favor: Unanimous Opposed: None

- II. RECOGNITIONS: STUDENTS, INDIVIDUALS AND/OR ORGANIZATIONS FOR SIGNIFICANT CONTRIBUTIONS MADE TO THE SCHOOL.
 - 1. Recognized Suzy Graybill for the outstanding contributions in her short tenure as a Board Member.

III. COMMUNICATIONS

Written Communication: None
 Board Member Comments: None

3. Director's Report:

DR 3/14/2024

Enrollment: 89 down from 92 at start of year; Next year 68 returning and 63 applications

Estimated ADA: 86.92

General Information:

- Funding determination Have answered all of their questions and just waiting for the State Board of Education decision at their next meeting May 8–9, 2024
- Charter renewal
 - Advised to submit in March of 2025 in case of denial by MPUSD
 - Created a folder in the drive that is shared with you all
 - I have started with gathering data with the help of EdTech, and enrolled in several webinars with CSDC
- Gerda has passed away, not sure what that means for us
- There is a building for sale across from Happy Girl might be worth looking into
- Spring fundraiser is coming along
- New source of funds Art and Music Grant
- 4. BSCS Staff Comments (Non-Agenda Items)

March 14, 2024 at 4:30 PM

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IV. HEARING SESSION

Citizens may address the board about subjects not listed on the agenda; comments on agenda items should be held until that matter is considered. In either case, speakers addressing the board are limited to three (3) minutes with a maximum of twelve (12) minutes per topic. Any member of the public who utilizes a translator will receive six (6) minutes with a maximum of twenty-four (24) minutes per topic. This ensures that non-English speakers receive the same opportunity to address the board as English speakers. Comments will be heard with no action taken.

V. CONSENT AGENDA

Items listed under the Consent Agenda are considered to be routine and/or may have been discussed at a previous Board meeting. There is no discussion of these items prior to the Board vote unless a member of the Board requests specific items be discussed and/or removed from the Consent Agenda. Each item on the Consent Agenda and approved by the Board Members shall be deemed to have been considered in full and/or adopted as recommended.

1. Approve Board Meeting Minutes from February 15, 2024
Recommendation: (Aimee Alling, Director) The Administration recommends approval of the minutes as presented.

2. Approve Bank Statement:

1st Capital Bank Statement - February 29, 2024

Recommendation: (Aimee Alling, Director) I certify that I have reviewed the attached statement for consistency with the School's budget, and purchasing and accounting practices and therefore, recommend Board approval.

3. Approve Credit Card Statements:

US Bank Statement - February 22, 2024

Wells Fargo Statement - March 3, 2024

Recommendation: (Aimee Alling, Director) I certify that I have reviewed the attached statement for consistency with the School's budget, and purchasing and accounting practices and therefore, recommend Board approval.

4. Board Report of Warrants:

Warrants from February 10 - March 11, 2024

Recommendations: (Aimee Alling, Director) I certify that I have reviewed the attached warrants for consistency with the School's budget, and purchasing and accounting practices and therefore, recommend Board approval.

Motion to approve: Chad Bollmann Second: Jennifer Ross

All in favor: Unanimous Opposed: None

March 14, 2024 at 4:30 PM

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VI. ACTION/DISCUSSION

1. Vote in Nathan Nunez as Board Member

Board Action: Held vote

Motion to approve: Chantel Kjellgren Second: Jennifer Ross

All in favor: Unanimous Opposed: None

2. Review and Adopt 2nd Interim Budget (Due March 15th)

Board Action: Chad will draft a reserves resolution: 100k SPED / 100k facilities upgrade / 200k new

facilities

Motion to adopt: Jennifer Ross Second: Chantel Kjellgren

All in favor: Unanimous Opposed: None

3. Approve Academic Calendar

Board Action: Discussed and Approved

Motion to adopt: Chantel Kjellgren Second: Rachael Black

All in favor: Unanimous Opposed: None

4. Approve Auditor Selection

Board Action: Discussed and Approved

Motion to adopt: Rachael Black Second: Chad Bollmann

All in favor: Unanimous Opposed: None

5. Review and Adopt Administration of Medications, Anti-Seizure Medication, Emergencies. Opioid

Antagonist Administration, Head Lice and Administration of Medicinal Cannabis Policy

Board Action: Reviewed and approve

Motion to adopt: Chad Bollmann Second: Suzy Graybill

All in favor: Unanimous Opposed: None

6. Review and Adopt Bullying and Cyberbullying Prevention Procedures

Board Action: Reviewed and approve

Motion to adopt: Chad Bollmann Second: Suzy Graybill

All in favor: Unanimous Opposed: None

7. Review and Adopt Conflict of Interest Policy

Board Action: Reviewed and approve

Motion to adopt: Chad Bollmann Second: Suzy Graybill

All in favor: Unanimous Opposed: None

8. Review and Adopt Conflict of Interest Code

Board Action: Reviewed and approve

Motion to adopt: Chad Bollmann Second: Suzy Graybill

All in favor: Unanimous Opposed: None

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9. Review and Adopt Education for English Learner Policy

Board Action: Reviewed and approve

Motion to adopt: Chad Bollmann Second: Suzy Graybill

All in favor: Unanimous Opposed: None

10. Review and Adopt Freedom of Expression Policy and Procedures

Board Action: Reviewed and approve

Motion to adopt: Chad Bollmann Second: Suzy Graybill

All in favor: Unanimous Opposed: None

11. Review and Adopt Immigration Enforcement Policy Related to the Detention of Deportation of a

Student's Family Member Policy Board Action: Reviewed and approve

Motion to adopt: Chad Bollmann Second: Suzy Graybill

All in favor: Unanimous Opposed: None

12. Review and Adopt Protection of Pupil Rights Amendment (PPRA) Policy

Board Action: Reviewed and approve

Motion to adopt: Chad Bollmann Second: Suzy Graybill

All in favor: Chad Bollmann, Chantel Kjellgren, Jennifer Ross, Jessica Ramey-Herne Suzy Graybill,

Rachel Black

Abstained: Nathan Nunez Opposed: None

13. Review and Adopt Public Solicitation on School Grounds Policy

Board Action: Reviewed and approve

Motion to adopt: Chad Bollmann Second: Suzy Graybill

All in favor: Chad Bollmann, Chantel Kjellgren, Jennifer Ross, Jessica Ramey-Herne Suzy Graybill,

Rachel Black

Abstained: Nathan Nunez Opposed: None

14. Review and Adopt Residency Policy

Board Action: Reviewed and approve

Motion to adopt: Chad Bollmann Second: Suzy Graybill

All in favor: Chad Bollmann, Chantel Kjellgren, Jennifer Ross, Jessica Ramey-Herne Suzy Graybill,

Rachel Black

Abstained: Nathan Nunez Opposed: None

March 14, 2024 at 4:30 PM

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VII. INFORMATION/DISCUSSION

1. Review Board Composition and Terms

Jessica through January 2025 Jennifer departing June 2024

Suzy departing June 2024 (transfer)

Nathan through June 2026 Rachael through June 2025 Chantel through June 2025 Chad departing June 2024

Potential Gains:

Courtney (potential military representative)

Board Action: Reviewed

2. Review Personnel Needs

Board Action: Need two new teachers (TK/K and 7th/8th and CSP aide)

3. Budget vs. Actuals

Board Action: Reviewed

4. Reserves Policy

Board Action: Already discussed

5. File Statement of Information

Board Action: Chad submitted the report

6. Discuss need and location of Form 700 (due in April)

Board Action: none

7. Send Employee/Employment Satisfaction Survey

Board Action: Chantel will send out. Survey will be due on March 29th.

8. Review and Discuss next two months of Board Calendar

Board Action: reviewed

VIII. ADJOURNMENT

Motion to Adjourn: Suzy Graybill Second: Nathan Nunez
All in favor: Unanimous Opposed: None

Time Adjourned: 6:14pm

March 14, 2024 at 4:30 PM

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Upcoming Board Items:

Adopt the Reserves Resolution Start creating the the director review

April

Budget vs Actuals

May

- Review/check-in Director goals
- Discuss board calendar dates
- Director contract
- Approve Employee Contracts
- Determine end of year staff bonus (longevity or all staff?)

June

- Review LCAP in public hearing
- Adopted LCAP
- Approve Dashboard Local Indicators
- Review & Adopt Estimated Actuals & Budget
- Hold Board Elections/Reelections NEED UPDATED TERMS
- Approve Board calendar
- Approve MOU with District
- Director Evaluation (in closed session)
- Review Grants and assign everyone ones to submit

Board Retreat

• Board Self-evaluation & Goal Setting (add)

1st Capital Bank

P.O. BOX 811 Salinas, CA 93902

RETURN SERVICE REQUESTED

BIG SUR CHARTER SCHOOL 304 FOAM ST MONTEREY CA 93940-1408

Statement Ending 03/29/2024

BIG SUR CHARTER SCHOOL
Account Number: XXXXXX0996

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Managing Your Accounts

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Branch Name

Monterey

(3)

Branch Phone Number

(831) 264-4070



Customer Service

(831) 264-4000



Mailing Address

P.O. BOX 811 Salinas, CA 93902



Online Banking

1stcapital.bank

Summary of Accounts

Account Type Account Number Ending Balance
NON PROFIT BUSINESS CHECKING XXXXXX0996 \$918.87

NON PROFIT BUSINESS CHECKING-XXXXXX0996

Account Summary

 Date
 Description
 Amount

 03/01/2024
 Beginning Balance
 \$5,192.97

 1 Credit(s) This Period
 \$725.90

 1 Debit(s) This Period
 \$5,000.00

 03/29/2024
 Ending Balance
 \$918.87

Electronic Credits

 Date
 Description
 Amount

 03/08/2024
 PAYPAL TRANSFER 1032991876123
 \$725.90

Checks Cleared

 Check Nbr
 Date
 Amount

 1019
 03/18/2024
 \$5,000.00

Daily Balances

Date Amo		Date	Amount	
03/08/2024	\$5,918.87	03/18/2024	\$918.87	

Overdraft and Returned Item Fees

	Total for this period	Total year-to-date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00



^{*} Indicates skipped check number

The Following Disclosures Apply to Your 1st Capital Bank Account

If there are any discrepancies between your records and this statement, please notify your branch immediately. If no errors are brought to our attention within 30 days, the account will be considered correct. All items are credited subject to final payment.



IMMEDIATELY REPORT THE LOSS OR THEFT OF ANY CHECKS, DEBIT CARD OR PIN ISSUED FOR THIS ACCOUNT. CALL US AT (831) 264-4000.

In Case of Errors or Questions About Your Electronic Transfers

(APPLIES ONLY TO CONSUMER ACCOUNTS)

Telephone us at (831) 264 4000 or Write us at 1st Capital Bank, P.O.BOX 811, Salinas, CA 93902 as soon as you can, if you think your statement is wrong or if you need more information about a transfer on the statement. We must hear from you no later than 60 days after we sent you the FIRST statement on which the error or problem occurred.

- (1) Tell us your name and account number.
- (2) Describe the error or the transfer you are unsure about and explain as clearly as you can why you believe it is in error or why you need more information.
- (3) Tell us the dollar amount of the suspected error.

We will investigate your complaint and will correct any error promptly. If we take more than 10 business days to do this, we will credit your account for the amount you think is in error, so that you will have use of the money during the time it takes us to complete our investigation. For new accounts, we may take up to 20 business days to credit your account for the amount you think is in error.

Reporting other problems

You must examine your statement carefully and promptly. You are in the best position to discover errors and unauthorized transactions on your account. If you fail to notify us in writing of suspected problems or an unauthorized transaction within the time period specified in the deposit agreement (which periods are no more than 60 days after we make the statement available to you and in some cases are 30 days or less), we are not liable to you and you agree to not make a claim against us, for the problems or unauthorized transactions.

Direct Deposits

If you have arranged to have direct deposits made to your account at least once every 60 days from the same person or company, you may call us to find out if the deposit was made as scheduled. You may also review your activity online or visit a branch for more information.

Terms and Conditions of Your Account

When you opened your account, you received the Terms and Conditions of Your Account document along with a fee schedule and agreed that your account would be governed by the terms of these documents, as we may amend them from time to time. These documents are part of the contract for your deposit account and govern all transactions relating to your account, including all deposits and withdrawals. Copies of both the Terms and Conditions of Your Account and fee schedule may be obtained at one of our branches.

Check 21 Notification

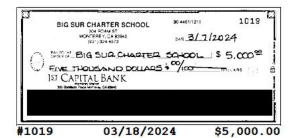
If you request the return of your original checks you may receive a "Substitute Check" in response. The Substitute Check is the legal equivalent of an original check and you have the rights that apply when you believe in good faith, that a Substitute Check was not properly charged to your account. Contact your branch or call the number on the front of this statement to request a Check 21 disclosure.

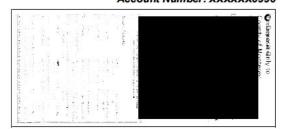
1st Capital Bank

Statement Ending 03/29/2024

BIG SUR CHARTER SCHOOL
Account Number: XXXXXX0996

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XXXXXX0996



P.O. BOX 6343 FARGO ND 58125-6343



ACCOUNT NUMBER 7669 STATEMENT DATE 03-22-2024 \$1,299.92 AMOUNT DUE \$1,299,92 **NEW BALANCE** PAYMENT DUE ON RECE PT

մեկավիկին իրեկիկին իրեսպերութեոնի իրեսա

BIG SUR CHARTER SCHOOL ATTN CHRISTIN LOPEZ 304 FOAM ST MONTEREY CA 93940-14 93940-1408

AMOUNT ENCLOSED	
\$	

Please make check payable to "US Bank"

U.S. BANK CORPORATE PAYMENT SYSTEMS P.O. BOX 790428 ST. LOUIS, MO 63179-0428

Please tear payment coupon at perforation.

		CORPOR	A	TE ACCO	UNT SU	MMARY			
BIG SUR CHARTER SCHO 7669	Previous Balance	Purchases And Other + Charges	+	Cash Advances +	Cash Advance Fees +	Late Payment Charges	Credits	Payments	New = Balance
Company Total	\$2 802 96	\$1 299 92		\$0 00	\$ 00	\$0 00	\$0 00	\$2 802 96	\$1 299 92

		COR	PORATE ACCOUNT ACTIV	VITY	
BIG SUR CHARTER SCHOOL TOTAL CORPORATE ACTIVITY \$2,802.96 CR					
	Tran Date	Reference Number	Transaction Description		Amount
03-15	03-13	747982640750000000000961	PAYMENT - THANK YOU 00000 C	2	,802.96 PY

CHRISTIN LO	PEZ -7927	\$0.00	PURCHASES \$578.56	\$0.00	TOTAL ACTIVITY \$578.56	
Post Tran Date Date	Reference Number	Trans	saction Description			Amount
03-04 03-04 03-14 03-12 03-14 03-13 03-14 03-13	2469216406410977 2449215407385213 2449215407385214 2449215407385214 2449215407385215	0127646 PP*M 3369342 PP*M 9768547 PP*M	GLE *GOOGLE NES IETAPLATFOR 402- IETAPLATFOR 402- IETAPLATFOR 402- IETAPLATFOR 402-	935-7733 CA 935-7733 CA 935-7733 CA		150.00 2.00 2.00 2.00 2.00 2.00

CUSTOMER SERVICE CALL	ACCOUNT	NUMBER	ACCOUNT SUMMARY		
COSTONIER SERVICE CALL	-/669 T		PREVIOUS BALANCE PURCHASES &	2,802.96	
800-344-5696			OTHER CHARGES	1,299.92	
	STATEMENT DATE	DISPUTED AMOUNT	CASH ADVANCES	.00	
	03/22/24	.00	CASH ADVANCE FEES	.00	
			CHARGES	.00	
SEND BILLING INQUIRIES TO:			CREDITS	.00	
U.S. Bank Nat ona Assoc at on	AWOUN	II DOL	PAYMENTS	2,802.96	
C/O U.S. Bancorp Purchas ng Card Program P.O. Box 6335 Fargo, ND 58125-6335	1,299.92		ACCOUNT BALANCE	1,299.92	



Company Name: BIG SUR CHARTER SCHOOL

7669

Corporate Account Number:

Statement Date: 03-22-2024

		NEW ACTIVITY	
Post Tran Date Date	Reference Number	Transaction Description	Amount
03-14 03-13 03-14 03-13 03-15 03-13 03-15 03-13 03-15 03-13 03-15 03-14 03-15 03-14 03-15 03-14 03-18 03-14 03-18 03-14 03-18 03-15 03-18 03-15	24492154073852161866542 24492154074852168696990 24492154074852168696990 24492154074852173729489 244921540748521737329489 24492154074852178035015 24492154074852186402991 24492154074852197198653 24492154075852204659795 24492154075852211474113 244921540758522215650635 24492154076852224578085 244921540768522454946449 24492154076852254991881 24492154076852254991881 24492154076852279120557 24000774081000002741363	PP*METAPLATFOR 402-935-7733 CA	2.00 2.20 2.42 2.66 2.93 3.30 3.63 3.99 4.83 5.00 5.50 6.66 7.00 29.00 324.00
AIMEE ALLIN			
AUTE ALLI	IG CREDI -7891 \$0.0	ITS PURCHASES CASH ADV TOTAL ACTIVIT 00 \$721.36 \$0.00 \$721.3	ГҮ 6
Post Tran Date Date	-7891 CREDI \$0.0	· · · · · · · · · · · · · · · · · · ·	TY 6 Amount
Post Tran	Reference Number 24692164054101313316455 24692164054101331299071 24431064058083752820276 24011344061000074344412 24137464067500802024979 24692164067102773266912 24692164068102975213307 24011344069000057089648 24692164069103913379217 24692164069103913379217 24692164072106960350812 24692164079102546250272 24011344081000051055284 24692164081103889208733	· · · · · · · · · · · · · · · · · · ·	66

Department: 00000 Tota : \$1,299.92 D v s on: 00000 Tota : \$1,299.92

WELLS FARGO® BUSINESS CARD



Page 1 of 2

Prepared For	BIG SUR CHARTER SCHOOL CHRISTIN LOPEZ
Account Number	5589
Statement Closing Date	04/03/24
Days in Billing Cycle	31
Next Statement Date	05/03/24
Credit Line	\$2,000
Available Credit	\$1,970

For Customer Service Call: 800-225-5935

Inquiries or Questions: Wells Fargo SBL PO Box 29482 Phoenix, AZ 85038-8650

Payments:

Payment Remittance Center PO Box 77033 Minneapolis, MN 55480-7733

Payment Information

New Balance	\$29.99
Current Payment Due (Minimum Payment)	\$25.00
Current Payment Due Date	04/28/24

If you wish to pay off your balance in full: The balance noted on your statement is not the payoff amount. Please call 800-225-5935 for payoff information.

Account Summary

,		
Previous Balance		\$29.99
Credits	-	\$0.00
Payments	-	\$29.99
Purchases & Other Charges	+	\$29.99
Cash Advances	+	\$0.00
Finance Charges	+	\$0.00
New Balance	=	\$29.99

Rate Information

Your rate may vary according to the terms of your agreement.

		J				
	ANNUAL INTEREST	DAILY FINANCE	AVERAGE DAILY	PERIODIC FINANCE	TRANSACTION FINANCE	TOTAL FINANCE
TYPE OF BALANCE	RATE	CHARGE RATE	BALANCE	CHARGES	CHARGES	CHARGES
PURCHASES	18 400%	05041%	\$0 00	\$0 00	\$0.00	\$0 00
CASH ADVANCES	27 240%	07463%	\$0 00	\$0 00	\$0 00	\$0 00
TOTAL				\$0 00	\$0 00	\$0 00

Transaction Details

Tra	ns Post	Reference Number	Description		Credits	Charges
03/22	2 03/22	8558668F226RZD5TN	PAYMENT THANK YOU		29 99	
04/02	2 04/02	5543286FD5VJSKSTF	SIMPLISAFE	888-957-4675 MA		29 99

See reverse side for important information

7 2 240403 0 PAGE 1 of 2 1 0 8891 0300 BXSB 01DQ5596

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5596

1 / 2 240403 0

Detach and mail with check payable to "Wells Fargo" to arrive by Current Payment Due Date

Make checks payable to: Wells Fargo

mante entre payable ter in ener enge				
Account Number	5589			
New Balance	\$29.99			
Total Amount Due (Minimum Payment)	\$25.00			
Current Payment Due Date	04/28/24			

Amount \$ Enc osed:

If your card is ever lost or stolen

Please notify us immediately by calling: 1-800-225-5935.

Questions about your statement

If you have a question about your statement, please write to us within 30 days after the statement was mailed to you. Please use a separate letter and include your account number and the date of the statement in question. Please refer to the front of the statement for our Inquiry mailing address.

For all your personal or business financial service needs, visit us at wellsfargo.com

Important payment information

Payments made at a Wells Fargo branch

You may use cash or checks when making payments at a Wells Fargo branch.

Payments by mail

Mail your check and the payment coupon to the Payment Remittance Center address printed on this statement. For fastest delivery, please use the enclosed window envelope. If using a single check to pay multiple accounts, we must receive a completed payment coupon for each account being paid or a list showing the full account number and amount to be credited to each account. If you are paying multiple accounts with a single check, the total of the check must equal the sum of the payments to be applied to each individual account, with at least the total minimum payment due for all accounts.

Payments by phone

If you are authorized to transact on the account, you may be able to initiate a payment by calling the Customer Service number listed on the front of this statement.

Payments made using Wells Fargo Online Banking or Wells Fargo Mobile

If you have access to the account via Wells Fargo Online Banking or Mobile you may be able to make a payment depending on your level of access.

Automatic Payments

You can establish automatic payments to this credit account from a Wells Fargo deposit account or any other financial institution. For enrollment information, please contact our Customer Service number listed on the front of this statement.

Timing of payment by mail or payments made at a Wells Fargo branch

Payments that are received at the designated payment processing address (printed on each statement) by 5:00 p.m. on any business day will be credited as of the day of receipt. Payments received after 5:00 p.m. or on non-business days may be credited as of the next business day.

When a payment is considered late

If your payment is received or initiated any time after the Due Date, it is considered late and your account will be subject to a late fee.

Promotional rates

All promotional rates are subject to early termination if there are late payments or other defaults. Please see sections "Default" and "Remedies" in your Cardholder Agreement.

Managing your account

To manage your account, including card payments, alerts and change of address, visit **wellsfargo.com** or call the customer service number which appears on your account statement.

Checks Dated 03/12/2024 through 04/08/2024			Board Meeting Date April 11, 202		
Check Number	Check Date	Pay to the Order of	Fund-Object	Expensed t Amount	Check Amount
12824084	03/14/2024	AT&T Mobility	62-5900)	183.04
12824085	03/14/2024	Heather Crane Ed Therapy	62-5800)	935.00
12824086	03/14/2024	Pediatric Therapy Associates	62-5800)	482.30
12824087	03/14/2024	STATE OF CA DOJ Acctng Office	62-5800)	32.00
12824088	03/14/2024	TinyEYE Tech Corp	62-5800)	757.26
12824089	03/14/2024	Wells Fargo	62-5500).	29.99
12825557	03/21/2024	California American Water	62-5500)	50.10
12825558	03/21/2024	California American Water	62-5500)	170.46
12825559	03/21/2024	Gerda Marotta	62-5600		8,244.44
12825560	03/21/2024	MBS Business Systems	62-5500)	510.03
		Tot	al Number of Checks	10	11,394.62

Fund Recap

Fund	Description	Check Count	Expensed Amount
62	Charter School Enterprise	10	11,394.62
	Total Number of Checks	10	11,394.62
	Less Unpaid Tax Liability		.00
	Net (Check Amount)		11,394.62

It is the policy of Big Sur Charter School (the "School") to create and maintain a learning environment where students and employees are treated with dignity, decency and respect. It is also the policy of Big Sur Charter School to maintain an environment that encourages and fosters appropriate conduct among all persons and respect for individual values. Accordingly, the School is committed to enforcing this Title IX, Harassment, Discrimination, Intimidation and Bullying Prevention Policy at all levels in order to create an environment free from all forms of discrimination, harassment, intimidation and bullying.

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, the Charter School 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. BSCS school staff who witness acts of misconduct prohibited by this Policy will take immediate steps to intervene when safe to do so.

Moreover, the Charter School will not condone or tolerate misconduct prohibited by this Policy by any employee, independent contractor or other person with whom BSCS does business, or any other individual, student, or volunteer. This Policy applies to all employee, student, and volunteer actions and relationships, regardless of position or gender. BSCS 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. BSCS 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.

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

Adopted: Revision:

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

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

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

Definitions

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. Part 106) and California state law prohibit discrimination and harassment on the basis of sex. Under Title IX, "sexual harassment" means conduct on the basis of sex that satisfies one or more of the following:

- An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal

access to the recipient's education program or activity; or

"Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

In accordance with Title IX and California law, 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 and harassment in education programs or activities conducted by BSCS.

BSCS 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 or 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 themselves 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.
 - 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.
 - o 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 or the employee's sex.
- Sexual or discriminatory displays or publications anywhere in the work or 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 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 ¹ 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 the student's physical or mental health.
- 3. Causing a reasonable student to experience a substantial interference with the student's academic performance.
- 4. Causing a reasonable student to experience a substantial interference with the student's ability to participate in or benefit from the services, activities, or privileges provided by BSCS.

Adopted: Revision:

¹ "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 the student's age, or for a person of the student's age with the student's exceptional needs.

Cyberbullying is an electronic act that includes the transmission of harassing communication, direct threats, or other harmful texts, sounds, video 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 or 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 BSCS's education program or activity or signed by the Coordinator alleging sexual harassment against a respondent and requesting that BSCS investigate the allegation of sexual harassment. At the time of filing a formal complaint of sexual harassment, a complainant must be participating in or attempting to participate in BSCS's education program or activity.

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

Reporting Discrimination, Harassment, Intimidation, Bullying or Retaliation: Any student who believes that he or she has been the victim of discrimination, harassment, intimidation, bullying or retaliation prohibited by this policy, or any student who has witnessed such discrimination, harassment, intimidation, bullying or retaliation, should immediate report the circumstances in accordance with the procedure set forth below. The School will investigate any conduct that violates this policy, even in the absence of a complaint, and take remedial action where appropriate.

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

- Their teacher, school counselor or other school personnel
- The School Director

Complaints may be submitted to the Title IX Coordinator by phone, email, or mail:

Aimee Alling, School Director
304 Foam Street, Monterey, CA 93940
director@bigsurcharterschool.org

831-324-4573

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

The Office for Civil Rights (OCR) phone number is 1-800-421-3481 Email: ocr@ed.gov The OCR complaint form can be found here: <u>United States Department of Education</u>
<u>Office for Civil Rights Discrimination Complaint Form</u>