

AGENDA
ACADEMY OF PERSONALIZED LEARNING
GOVERNING BOARD MEETING
2195 Larkspur Lane Suite 100, Redding CA 96002
November 15, 2012
5:15 pm
Regular Meeting

Americans with Disabilities

The School adheres to the Americans with Disabilities Act. Should you require special accommodations, or more information about accessibility, please contact us at least 48 hours in advance. All efforts will be made for reasonable accommodations.

I. PRELIMINARY

- A. **CALL TO ORDER**
- B. **ROLL CALL**
Greg Beale _____ Sharyi Hanson _____ Jeannie Eminger _____ XXXXXX _____ Cheryl Calhoun _____
Crickett Miller _____ Patricia Dougherty _____
- C. **PLEDGE OF ALLEGIANCE**
- D. **APPROVAL OF AGENDA**
Motion by: _____ Seconded by: _____ Vote: _____

II. COMMUNICATIONS

- A. ORAL COMMUNICATIONS: Non-agenda items: no individual presentation shall be for more than three (3) minutes and the total time for this purpose shall not exceed fifteen (15) minutes. Ordinarily, Board members' will not respond to presentations and no action can be taken. However, the Board may give direction to staff following a presentation.
- B. INFORMATION: Director's Report
This is a presentation of information that has occurred since the previous Board meeting.
- C. INFORMATION: Advisory Council Report: Crickett Miller
This is a presentation of information that has occurred since the previous Board Meeting.
- D. For Information: Board/Staff Discussions
Board and staff discuss items of mutual interest.
Teacher Presentations

III. CONSENT AGENDA ITEMS

All matters listed under the consent agenda are considered by the Board to be routine and will be approved/enacted by the Board in one motion in the form listed below. Unless specifically requested by a Board member for further discussion or removed from the agenda, there will be no discussion of these items prior to the Board votes on them. The Executive Director recommends approval of all consent agenda items.

- 1. **Approval Minutes of Board Meeting 10/18/2012**
- 2. **Warrant Register**

APPROVAL OF CONSENT AGENDA

Motion by: _____ Seconded by: _____ Vote: _____

IV. INFORMATION/ACTION ITEMS:

1. **INFORMATION/ACTION:** Appointment of Board Member and Oath Of Office All Board Members

Motion by: _____ **Seconded by:** _____ **Vote:** _____

2. **INFORMATION/ACTION:** Re-Ratify Per OCR: Comprehensive Complaint Policy and Procedures

Motion by: _____ **Seconded by:** _____ **Vote:** _____

3. **INFORMATION/ACTION:** Re-Ratify Per OCR: Parent/Student Rights Identification, Evaluation, Accommodation And Placement (Section 504)

Motion by: _____ **Seconded by:** _____ **Vote:** _____

4. **INFORMATION/ACTION:** Re-Ratify Per OCR: Parent/Student Rights Identification, Evaluation, Accommodation And Procedures(Section 504)

Motion by: _____ **Seconded by:** _____ **Vote:** _____

5. **INFORMATION/ACTION:** Bylaws: North State Charter Joint Powers Authority

Motion by: _____ **Seconded by:** _____ **Vote:** _____

6. **INFORMATION/ACTION:** Quote for Water Service: Mt. Shasta Spring Water

Motion by: _____ **Seconded by:** _____ **Vote:** _____

7. **INFORMATION/ACTION:** Statement of Economic Interests: FPPC Form 700

Motion by: _____ **Seconded by:** _____ **Vote:** _____

8. **INFORMATION/ACTION:** Discussion: School and Directors Goals

Motion by: _____ **Seconded by:** _____ **Vote:** _____

V. CLOSED SESSION

No Closed Session Items!

VI. PUBLIC SESSION – REPORT OUT OF CLOSED SESSION

RECONVENE TO OPEN SESSION: The meeting was reconvened to open session at _____.

PUBLIC REPORT ON ACTION TAKEN IN CLOSED SESSION; includes the vote of abstention of every member

The Board President will report out any action taken in closed session, if any.

VIII. FUTURE AGENDA ITEMS

The Board will consider items for future Board Meeting Agendas.

IX. ADJOURNMENT

The meeting was adjourned at _____.

MINUTES
ACADEMY OF PERSONALIZED LEARNING
GOVERNING BOARD MEETING
2195 Larkspur Lane Suite 100, Redding CA 96002
October 18, 2012
5:15 pm
Regular Meeting

Americans with Disabilities

The School adheres to the Americans with Disabilities Act. Should you require special accommodations, or more information about accessibility, please contact us at least 48 hours in advance. All efforts will be made for reasonable accommodations.

I. PRELIMINARY

A. CALL TO ORDER: 5:19 pm

The audience in attendance at the meeting included: Christie Morris, Cindy Silva, Cheryl Calhoun, and Lynn Weidenkeller.

B. ROLL CALL

**Greg Beale X Sharyi Hanson X Jeannie Eminger X XXXXXX Molly Oliver
Crickett Miller X**

C. PLEDGE OF ALLEGIANCE

D. APPROVAL OF AGENDA

Motion by: Jeannie Eminger Seconded by: Greg Beale Vote: 3/0/0

II. COMMUNICATIONS

A. ORAL COMMUNICATIONS: None

B. INFORMATION: Director's Report

1. The December Board meeting was scheduled for 12/20/12. The Board discussed moving the meeting to a different Thursday before the winter break. Greg Beale suggested 12/13/12, and the Board members agreed with that date.
2. Robin Thorne and Lynn Weidenkeller recently attended a College Workshop at Shasta College and returned with information that will benefit our students and school.
3. APL received some free furniture. The new work station for Darla Moore is being installed in the reception area. She will have better visibility of the entrance. We have plans for purchasing a better check-in system for students and staff that will facilitate knowing who is in the building at any given time. APL was also given a display case for student work in the reception area.
4. APL had an excellent staff meeting on Monday, 10/15/12, discussing student scores in Language Arts, as well as curriculum and remediation strategies for students who need help.
5. Propositions 30 and 38 pertaining to education funding are coming up on the November ballot. Dr. Dougherty sent an email out to staff with an article written by a professor at USC explaining both propositions. She has an article written by Eric Premac that she will send out also.
6. There will be automatic budget cutbacks if proposition 30 does not pass. APL will need to cut \$250,000 from this year's budget. APL has been preparing for this possibility, such as cutting VEPs for students who are not attending, and aligning VEPs' schedules to the APL school calendar for cost savings.
7. APL is looking at enrollment, trying to get teachers' rosters to capacity but not above levels they can handle. We are trying to enroll students at the time of year when we get paid for them, rather than late in the year when their enrollment is not counted toward ADA.

8. Orders for this year's school yearbook are now being taken. The yearbook is being sold for \$25. After January 15, the cost of the books will go to \$30. With this strategy we are hoping to encourage people to order books early.
9. The Student/Parent Handbook is being updated. Crickett Miller is looking at school policies that have been part of the handbook as well as Middleton, Young, and Minney changes to policies to make certain that both are consistent and any necessary changes can be addressed.

C. INFORMATION: Advisory Council Report: Crickett Miller

Crickett Miller shared the discussion topics that were delved into at the October Advisory Council meeting. The topics involved parent breastfeeding in the lobby, student tardiness, and beverages brought to school that are being spilled and staining the carpet. Crickett also talked about students leaving school during the day, sometimes sneaking out to have a cigarette. The Council also discussed various delivery options of the newsletter, besides mailing, as a means of economizing. Subsequently, forms were given to teachers so they could ascertain parent preferences for receiving their monthly newsletter. The Advisory Council approved the school policies that had been approved by the Board and will be added to the Student/Parent Handbook.

D. For Information: Board/Staff Discussions

Board and staff discuss items of mutual interest.

1. Greg Beale wondered if teachers understand the significance of our low test scores and the need to improve them. Dr. Dougherty felt that most do, though several may not be invited to return next year if they do not act in the best interest of the organization.
2. Greg Beale stated that every charter school needs a sponsor. The sponsors are the districts, the county office, or the state. He felt that the districts are in trouble, hurting for money, and as a result are sending students to charter schools after the date for which they don't receive funding for them.
3. Greg Beale concluded that if we don't raise our test scores, APL will die. He suggested one means of improving test scores is to tie them to grades, with provisional grades assigned in classes that have subject area tests. Students need to put forth effort on their state tests. Some students do not take the tests seriously because they do not see personal gain in doing so.

Teacher Presentations: none

III. CONSENT AGENDA ITEMS

All matters listed under the consent agenda are considered by the Board to be routine and will be approved/enacted by the Board in one motion in the form listed below. Unless specifically requested by a Board member for further discussion or removed from the agenda, there will be no discussion of these items prior to the Board votes on them. The Executive Director recommends approval of all consent agenda items.

1. **Approval Minutes of Board Meeting 09/20/2012**

Motion by: Jeannie Eminger Seconded by: Sharyi Hanson Vote: 3/0/0

2. **Warrant Register**

APPROVAL OF CONSENT AGENDA

Jeannie Eminger had several questions about the Warrants. One question was about Deutsche Bank. Dr. Dougherty said it was repayment on last year's loan. Jeannie also asked about Airespring, and was told that entry was payment for a technology agreement at our old site. She also asked about World Telecom, which is our phone system. In response to her question about Fedderson and Company, Jeannie was told that entry was payment to the auditing firm that conducts our yearly audit.

Motion by: Jeannie Eminger Seconded by: Sharyi Hanson Vote: 3/0/0

IV. INFORMATION/ACTION ITEMS:

1. **INFORMATION/ACTION:** Interview and/or Replacement/Appointment of Board Member
Community Representative: Cheryl Calhoun, vice president at Umpqua Bank and long term community member, came to the meeting, interested in APL and considering participation on the Board. She has been on the Board of RSA, Private Industry Council, Smart Business Center, and other organizations.

Cheryl asked to hear about our school, to which Greg Beale and Dr. Dougherty responded.

Greg asked Cheryl what she would look for in an employee. She responded that she looks for someone competent with basic skills and a desire to work, who can then be trained for the specific job duties required. The Board members responded that these are the same characteristics we hope to instill in our students so they will be capable of finding and maintaining a job.

A discussion ensued about our school and what our needs are.

Motion by: _____ Seconded by: _____ Vote: _____ N/A _____

2. **INFORMATION/ACTION:** Response To Public Records Request
Dr. Dougherty responded to the local newspaper's request for records but did not include teacher names with their salaries, but instead, called them teacher #1, 2, etc. for protection of their personal privacy.

Motion by: _____ Seconded by: _____ Vote: _____ N/A _____

3. **INFORMATION/ACTION:** Draft Bylaws: North State Charter Joint Powers Authority
APL, RSA, and Northwoods Discovery Schools comprise this entity.

Motion by: _____ Seconded by: _____ Vote: _____ N/A _____

4. **INFORMATION/ACTION:** Draft Budget; North State Charter Joint Powers Authority
The Board discussed the allocation and reallocation of funds among the entities in the JPA and the hope to create transparency for the benefit of all members.

Motion by: _____ Seconded by: _____ Vote: _____ N/A _____

5. **INFORMATION/ACTION:** Discussion/ Purchase of Technology for Check In & Security
APL is waiting for \$125,000 in MAA money for the purchase of new computers as well as the check-in and security system which we will purchase when the money becomes available.

Motion by: _____ Seconded by: _____ Vote: _____ N/A _____

6. **INFORMATION/ACTION:** Discussion/ Academic Progress; API & AYP & RTI
This topic was discussed throughout the meeting and not specifically addressed at this juncture of the meeting.

Motion by: _____ Seconded by: _____ Vote: _____ N/A _____

V. CLOSED SESSION

Adjourn to Closed Session to consider and/or take action upon any of the following items:

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: two potential cases

VI. PUBLIC SESSION – REPORT OUT OF CLOSED SESSION

RECONVENE TO OPEN SESSION: The meeting was reconvened to open session at **7:03 pm.**

PUBLIC REPORT ON ACTION TAKEN IN CLOSED SESSION; includes the vote of abstention of every member

The Board President will report out any action taken in closed session, if any.

The director informed the Board of legal counsel process update.

VIII. FUTURE AGENDA ITEMS

The Board will consider items for future Board Meeting Agendas.

1. Greg Beale requested a study session at the next meeting for setting goals for the Director and the school.
The Director was requested to bring 3 big items to the next meeting for the school to focus on.

IX. ADJOURNMENT

The meeting was adjourned at 7:05 pm.

Policy # _____
Date Approved: _____

Academy of Personalized Learning

COMPREHENSIVE COMPLAINT POLICY AND PROCEDURES

The Academy of Personalized Learning (“APL” or the “Charter School”) has adopted these policies and procedures to address the following types of complaints:

- Internal complaints by Charter School staff, parents/guardians, students and volunteers to resolve disputes within the Charter School.
- Complaints against Charter School employees.
- Complaints of discrimination against any protected group including actual or perceived, including discrimination on the basis of age, sex, sexual orientation, gender, gender identity, gender expression, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability, or on the basis of a person’s association with a person or group with one or more of these actual or perceived characteristics in any Charter School program or activity.
- Complaints of violations of state or federal law and regulations governing the following programs including but not limited to: special education, Title II, Section 504 of the Rehabilitation Act, consolidated categorical aid, No Child Left Behind, migrant education, career technical and technical education training programs, child care and development programs, child nutrition program.
- Unlawful sexual harassment and harassment based upon pregnancy, childbirth or related medical conditions, race, religion, creed, color, gender, gender identity, gender expression, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation, or any other basis protected by federal, state, local law, ordinance or regulation.

I. INTERNAL COMPLAINT POLICY AND DISPUTE RESOLUTION PROCEDURE

Suggestions for improving APL are always welcome. Your good-faith complaints, questions, and suggestions also are of concern to the Charter School. These procedures, which we believe are important for both you and the Charter School, cannot guarantee that every problem will be resolved to your satisfaction. However, the Charter School values your observations and you should feel free to raise issues of concern, in good faith, without the fear of retaliation.

- A. Any complaint shall be put in writing using the “Complaint Form” and addressed to the Charter School Executive Director or designee. A written complaint shall include:
1. The full name of each person involved
 2. A brief but specific summary of the complaint and the facts surrounding it

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3. A specific description of any prior attempt to discuss the complaint with the person and the failure to resolve the matter
- B. The Executive Director or designee shall investigate the complaint as necessary and shall promptly mail a written notice to the Complainant of the date, time, and place of a meeting between the Complainant and the Executive Director or designee, which shall occur no later than ten (10) school days following the receipt of complaint.
 - C. If no resolution can be agreed upon between the Executive Director or designee and the Complainant, the Executive Director or designee shall submit the complaint to the Board of Directors.
 - D. The Board of Directors may seek additional investigation by the Executive Director or designee as it deems necessary.
 - E. The Board shall address the recommendations of the Executive Director or designee at the next Regular Board meeting following the availability of those recommendations from the Committee.
 - F. The Board of Directors will make the final determination regarding the dispute and shall notify the Complainant of the Board's determination within ten (10) school days of the determination.

Nothing in this procedure shall require or allow the Board of Directors, nor any other employee of the Charter School, to release confidential pupil or employee information except as provided by law.

II. POLICY FOR COMPLAINTS AGAINST EMPLOYEES

The Charter School requires all employees to observe the highest standard of business and personal ethics in the conduct of their duties and responsibilities. As representatives of APL, employees must practice honesty and integrity in fulfilling responsibilities and comply with all applicable laws and regulations.

It is the responsibility of all employees to comply with school policies noted in the APL Employment Handbook.

Depending on the nature of the complaint, the Complainant will be provided information concerning the applicable policy and procedures to be followed. If there is no applicable policy or procedures, the Executive Director (or designee) shall encourage the parties involved to seek an informal resolution of the issues. If this is not possible due to the nature of the complaint or if informal resolution has been unsuccessfully attempted, the Executive Director (or designee) shall undertake a responsible inquiry into the complaint to ensure it is reasonably and swiftly addressed. When appropriate, a written statement of the complaint will be obtained from the Complainant.

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If the Complainant files a written complaint and no other school policy or procedure is applicable, the Executive Director (or designee) shall abide by the following process:

- A. Within ten (10) working days of the receipt of the complaint, the Executive Director or designee shall use his or her best efforts to talk with the parties identified in the complaint and to ascertain the facts relating to the complaint.
- B. In the event that the Executive Director (or designee) finds that a complaint against an employee is valid, the Executive Director (or designee) may take appropriate disciplinary action against the employee. As appropriate, the Executive Director (or designee) may also simply counsel/reprimand employees as to their conduct without initiating formal disciplinary measures.
- C. The Executive Director's (or designee's) decision relating to the complaint shall be final unless it is appealed to the Board of Directors of the Charter School. The decision of the Board of Directors shall be final.

Confidentiality

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

Non-Retaliation

Complainants will be advised that they will be protected against retaliation as a result of the filing of any complaints or participation in any complaint process.

Resolution

The administration will investigate complaints appropriately under the circumstances and pursuant to the applicable procedures, and if necessary, take appropriate remedial measures to ensure effective resolution of any complaint.

III. EMPLOYEE WHISTLEBLOWER POLICY

The Charter School is committed to lawful and ethical behavior in all of its activities and requires Board members, officers and employees to act in accordance with all applicable laws, regulations and policies and to observe high standards of business and personal ethics in the conduct of their duties and responsibilities.

The objectives of the Charter School Whistleblower Policy are to establish policies and procedures to:

- Prevent or detect and correct improper activities

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- Encourage each Board member, officer and employee (or “Reporting Individual” or “Reporter”) to report what he or she in good faith believes to be a material violation of law or policy or questionable accounting or auditing matter by the Charter School.
- Ensure the receipt, documentation, retention of records, and resolution of reports received under this policy protect reporting individuals from retaliatory action.

Reporting Responsibility

Each Reporting Individual has an obligation to report what he or she believes is a material violation of law or policy or any questionable accounting or auditing matter by the Charter School, its Board members, officers and employees or other representatives. Reporters must also notify the Charter School if an action needs to be taken in order for the Charter School to be in compliance with law or policy or with generally accepted accounting practices. The types of concerns that should be reported include, for purposes of illustration and without being limited to, the following:

- Providing false or misleading information on Charter School financial documents, grant reports, tax returns or other public documents;
- Providing false information to or withholding material information from Charter School auditors, accountants, lawyers, directors or other representatives responsible for ensuring compliance with fiscal and legal responsibilities;
- Embezzlement, private benefit, or misappropriation of funds;
- Material violation of Charter School policy, including among others, confidentiality, conflict of interest, whistleblower, ethics and document retention;
- Discrimination based on race, gender, gender expression, gender identity, sexual orientation, ethnicity, and disability, or any other unlawful biases;
- Facilitation or concealing any of the above or similar actions.

Reporting Concerns

Whenever possible, employees should seek to resolve concerns by reporting issues directly to his/her manager or to the next level of management as needed until matters are satisfactorily resolved. However, if for any reason an employee is not comfortable speaking to a manager or does not believe the issue is being properly addressed, the employee may contact the Executive Director of the Charter School. If an employee does not believe that these channels of communication can or should be used to express his/her concerns, an employee may contact the President of the Board of Directors.

Handling of Reporting Violations

Except as otherwise required by law, or as otherwise required by court order, the Charter School will investigate all reports filed in accordance with this policy with due care and promptness. Matters

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reported internally without initial resolution will be investigated by the Charter School Executive Director to determine if the allegations are true, whether the issue is material and what actions, if any, are necessary to correct the problem. Charter School staff will issue a full report of all matters raised under this policy to the Board of Directors. The Board of Directors may conduct a further investigation upon receiving the report from the President.

For matters reported directly to the President of the Board of Directors, the Board of Directors shall promptly acknowledge receipt of the complaint to the Complainant if the identity of the Complainant is known and conduct an investigation to determine if the allegations are true and whether the issue is material and what, if any, corrective action is necessary. Upon the conclusion of this investigation, the Board of Directors shall promptly report its findings to all pertinent parties.

Authority of Investigative Parties

The Investigative Parties (President of Board of Directors, Charter School Executive Director, or Board of Directors) shall have full authority to investigate concerns raised in accordance with this policy and may retain outside legal counsel, accountants, private investigators, or any other resource that is necessary to conduct a full and complete investigation of the allegations.

No Retaliation

This Whistleblower Policy is intended to encourage and enable Board members, officers and employees to raise serious concerns within the organization for investigation and appropriate action. With this goal in mind, no Board member, officer or employee who, in good faith, reports a concern shall be threatened, discriminated against or otherwise subject to retaliation or, in the case of an employee, suffer adverse employment consequences as a result of such report. Moreover, an employee who retaliates against someone who has reported a concern in good faith is subject to discipline up to and including termination of employment.

Acting in Good Faith

Anyone reporting a concern must act in good faith and have reasonable grounds for believing the matter raised is a serious violation of law or policy or a material accounting or auditing matter. The act of making allegations that prove to be unsubstantiated, and that prove to have been made maliciously, recklessly, with gross negligence, or with the foreknowledge that the allegations are false, will be viewed as a serious disciplinary offense and may result in discipline, up to and including termination of employment. Depending on the circumstances, such conduct may also give rise to other actions, including civil or criminal lawsuits.

Confidentiality

Reports of concerns, and investigations pertaining thereto, shall be kept confidential to the extent possible. However, consistent with the need to conduct an adequate investigation, the Charter School cannot guarantee complete confidentiality. Disclosure of information relating to an investigation under this policy by staff, directors, or others involved with the investigation of the Charter School to

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individuals not involved in the investigation will be viewed as a serious disciplinary offense and, with respect to Charter School employees, may result in discipline, up to and including termination of employment. Depending on the circumstances, such conduct may also give rise to other actions, including civil or criminal lawsuits.

IV. POLICY AGAINST HARASSMENT AND SEXUAL HARASSMENT

The Charter School is committed to providing a work and educational atmosphere that is free of unlawful harassment. The Charter School's policy prohibits sexual harassment and harassment based upon pregnancy, childbirth or related medical conditions, race, religion, creed, color, gender, gender identity, gender expression, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation, or any other basis protected by federal, state, local law, ordinance or regulation. The Charter School will not condone or tolerate harassment of any type by any employee, independent contractor or other person with which the Charter School does business with. This policy applies to all employee actions and relationships, regardless of position or gender. The Charter School will promptly and thoroughly investigate any complaint of harassment and take appropriate corrective action, if warranted.

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 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 classes above.

Prohibited Unlawful Sexual Harassment

In accordance with existing policy, discrimination on the basis of gender in education institutions is prohibited. All persons, regardless of the gender, are afforded equal rights and opportunities and freedom from unlawful discrimination in education programs or activities conducted by the Charter School.

The Charter School is committed to provide a workplace free of sexual harassment and considers such harassment to be a major offense, which may result in disciplinary action, up to, and including dismissal, of the offending employee.

Sexual harassment consist of sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature when: (1) submission of the conduct is either made explicitly or implicitly a term or condition of an individual's employment; (2) an employment decision is based upon an individual's acceptance or rejection of that conduct; (3) that conduct interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment.

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

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 will receive sexual harassment training and/or instruction concerning sexual harassment in the workplace as required by law.

Each employee has the responsibility to maintain a workplace free from any form of sexual harassment. Consequently, should any individual, in particular those with supervisory responsibilities, become aware of any conduct that may constitute sexual harassment or other prohibited behavior, immediate action should be taken to address such conduct. Employees and students are expected to act in a positive and professional manner and to contribute to a productive School environment that is free from harassing or disruptive activity.

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 employee for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for compensation or reward or deferential treatment for rejecting sexual conduct.
 - Subjecting or threats of subjecting an employee to unwelcome sexual attention or conduct or intentionally making performance of the employee's job more difficult because of the employee's sex.

- Sexual or discriminatory displays or publications anywhere at the workplace by employees, 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 to work or possessing any such material to read, display or view at work;
 - Reading publicly or otherwise publicizing in the work environment materials that are in any way sexually revealing, sexually suggestive, sexually demeaning or pornographic; and
 - Displaying signs or other materials purporting to segregate an employee by sex in an area of the workplace (other than restrooms or similar rooms).

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

Complainants and witnesses under these policies will be protected from further harassment and will not be retaliated against in any aspect of their employment due to their participation, filing of a complaint or reporting sexual harassment.

Complaint Procedure

Any employee who believes they have been harassed or has witnessed harassment is encouraged to immediately report such harassment to their supervisor or the Director. See Attachment B for the “Harassment Complaint Form.”

The Charter School will investigate complaints promptly and provide a written report of the investigation and decision as soon as practicable. The investigation will be handled in as confidential a manner as possible consistent with a full, fair, and proper investigation.

Employees may also direct their complaints to the California Department of Fair Employment and Housing (“DFEH”), which has authority to conduct investigation of the facts. The deadline for filing complaints with the DFEH is one year from the date of the alleged unlawful conduct. If the DFEH believes a complaint is valid and settlement efforts fail, the DFEH may seek an administrative hearing before the California Fair Employment and Housing Commission (“FEHC”) or file a lawsuit in court. Both the FEHC and the courts have authority to award monetary and non-monetary relief in meritorious cases. Employees can contact the nearest DFEH office or the FEHC by checking the State Government listings in the local telephone directory.

While in most situations a personal relationship is a private matter, these relationships are not appropriate in a professional setting, particularly where one of the parties has management or supervisory responsibilities.

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V. POLICY AND PROCEDURE REGARDING UNLAWFUL DISCRIMINATION
AND VIOLATIONS OF STATE OR FEDERAL LAW
(UNIFORM COMPLAINT PROCEDURES)

Scope

The Academy of Personalized Learning’s (“APL” or “Charter School”) policy is to comply 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 conducting investigations shall be knowledgeable about the laws and programs which they are assigned to investigate. This complaint procedure is adopted to provide a uniform system of complaint processing for the following types of complaints:

- (1) Complaints of discrimination against any protected group including actual or perceived, including discrimination on the basis of age, sex, sexual orientation, gender, gender expression, gender identity, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability, or on the basis of a person’s association with a person or group with one or more of these actual or perceived characteristics in any Charter School program or activity; and
- (2) Complaints of violations of state or federal law and regulations governing the following programs including but not limited to: special education, Title II, Section 504 of the Rehabilitation Act, consolidated categorical aid, No Child Left Behind, migrant education, career technical and technical education training programs, child care and development programs, child nutrition program.

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

The Charter School prohibits any form of retaliation against any Complainant in the complaint process, including but not limited to a Complainant’s filing of a complaint or the reporting of instances of discrimination. Such participation shall not in any way affect the status, grades or work assignments of the Complainant.

Compliance Officers

The APL Board of Directors designates the following Compliance Officer to receive and investigate complaints and to ensure the Charter School’s compliance with law:

Executive Director
Academy of Personalized Learning
2195 Larkspur Lane, Suite 100
Redding, CA 96002

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In the event it is alleged that the Executive Director took discriminatory action, the APL Board of Directors will either hire an outside, independent investigator to conduct the investigation or identify one or more members to serve as an investigator.

The Executive Director or designee shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. Designated employees may have access to legal counsel as determined by the Executive Director or designee.

Notifications

The Executive Director or designee shall annually provide written notification of the Charter School's Uniform Complaint Procedures to students, employees, parents/guardians, the Board of Directors, appropriate private officials or representatives, and other interested parties.

The Executive Director or designee shall make available copies of the APL's Uniform Complaint Procedures free of charge.

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints.
2. Advise the Complainant of any civil law remedies that may be available to him/her under state or federal discrimination laws, if applicable.
3. Advise the Complainant of the appeal process pursuant to Education Code Section 262.3, including the Complainant's right to take the complaint directly to the California Department of Education ("CDE") or to pursue remedies before civil courts or other public agencies.
4. Include statements that:
 - a. The Charter School is primarily responsible for compliance with state and federal laws and regulations;
 - b. The complaint review shall be completed within sixty (60) calendar days from the date of receipt of the complaint unless the Complainant agrees in writing to an extension of the timeline;
 - c. An unlawful discrimination complaint must be filed not later than six (6) months from the date the alleged discrimination occurs, or six (6) months from the date the Complainant first obtains knowledge of the facts of the alleged discrimination;
 - d. The Complainant has a right to appeal the Charter School's decision to the CDE by filing a written appeal within fifteen (15) days of receiving the Charter School's decision; and

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- e. The appeal to the CDE must include a copy of the complaint filed with the Charter School and a copy of the Charter School's decision.

Uniform Complaint 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 governing educational programs. Compliance Officers shall maintain a record of each complaint and subsequent related actions.

All parties involved in allegations 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, public agency or organization may file a written complaint of alleged noncompliance by the Charter School.

A complaint alleging unlawful discrimination shall be initiated no later than six months from the date when the alleged discrimination occurred, or six months from the date when the Complainant first obtained knowledge of the facts of the alleged discrimination. A complaint may be filed by a person who alleges that he/she personally suffered unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination.

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.

If a Complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, Charter School staff shall assist him/her in the filing of the complaint.

- **Step 2: Mediation**

Within three (3) 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 a discrimination complaint, the Compliance Officer shall ensure that all parties agree to make the mediator a party to related confidential information.

If the mediation process does not resolve the problem within the parameters of law, the Compliance Officer shall proceed with his/her investigation of the complaint.

The use of mediation shall not extend 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) days of receiving the complaint or an unsuccessful attempt to mediate the complaint. This meeting shall provide an opportunity for the Complainant and/or his/her representative to repeat the complaint orally.

The Complainant and/or his/her representative shall have an opportunity to present the complaint, testimony of witnesses and evidence or information leading to evidence to support the allegations in the complaint.

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

The Charter School's refusal to provide the Compliance Officer or designee 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: Response**

Unless extended by written agreement with the Complainant, the Compliance Officer shall prepare and send to the Complainant a written report of the Charter School's investigation and decision, as described in Step #5 below, within sixty (60) days of the Charter School's receipt of the complaint.

- **Step 5: Final Written Decision**

The Charter School's decision shall be in writing and sent to 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) of law.
3. Disposition of the complaint.
4. Rationale for such disposition.

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5. Corrective actions to prevent the recurrence of any discrimination and correct the effects, if warranted.
6. Notice of the Complainant's right to appeal the Charter School's decision within fifteen (15) days to the CDE and procedures to be followed for initiating such an appeal.
7. For discrimination complaints arising under state law, notice that the Complainant must wait until sixty (60) days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies.
8. For discrimination complaints arising under federal law such complaint may be made at any time to the U.S. Department of Education, Office for Civil Rights.

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 report shall not give any further information as to the nature of the disciplinary action.

Appeals to the California Department of Education

If dissatisfied with the Charter School's decision, the Complainant may appeal in writing to the CDE within fifteen (15) days of receiving the Charter School's decision. When appealing to the CDE, the Complainant must specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the Charter School's decision.

Upon notification by the CDE that the Complainant has appealed the Charter School's decision, the Director or designee shall forward the following documents to the CDE:

1. A copy of the original complaint.
2. A copy of the decision.
3. A summary of the nature and extent of the investigation conducted by the Charter School, if not covered by the decision.
4. A copy of the investigation file, including but not limited to all notes, interviews, and documents submitted by all parties and gathered by the investigator.
5. A report of any action taken to resolve the complaint.
6. A copy of the Charter School's complaint procedures.
7. Other relevant information requested by the CDE.

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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, Section 4650 exists, including cases in which 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 discrimination complaints arising under state law, however, a Complainant must wait until sixty (60) 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 his/her right to file a complaint in accordance with 5 CCR 4622. For discrimination complaints arising under federal law, a Complainant may file a civil suit at any time.

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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:

EXECUTIVE DIRECTOR
Academy of Personalized Learning
2195 Larkspur Lane, Suite 100
Redding, CA 96002

Policy # _____
Date Approved: _____

HARASSMENT COMPLAINT FORM

It is the policy of the Academy of Personalized Learning (the "Charter School") that all of its employees be free from harassment including sexual harassment. This form is provided for you to report what you believe to be harassment, so that the Charter School may investigate and take appropriate disciplinary or other action when the facts show that there has been harassment.

If you are an employee of the Charter School, you may file this form with the Director or Board President.

Please review the Charter School's policies concerning harassment for a definition of sexual harassment and a description of the types of conduct that are considered to be harassment.

The Charter School will undertake every effort to handle the investigation of your complaint in a confidential manner. In that regard, the Charter School will disclose the contents of your complaint only to those persons having a need to know. For example, to conduct its investigation, the Charter School will need to disclose portions of your factual allegations to potential witnesses, including anyone you have identified as having knowledge of the facts on which you are basing your complaint, as well as the alleged harasser.

In signing this form below, you authorize the Charter School to disclose to others the information you have provided herein, and information you may provide in the future. Please note that the more detailed information you provide, the more likely it is that the Charter School will be able to address your complaint to your satisfaction.

Charges of harassment are taken very seriously by the Charter School both because of the harm caused to the person harassed, and because of the potential sanctions that may be taken against the harasser. It is therefore very important that you report the facts as accurately and completely as possible and that you cooperate fully with the person or persons designated to investigate your complaint.

Your Name: _____ Date: _____

Date of Alleged Incident(s): _____

Name of Person(s) you believe harassed you or someone else: _____

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):

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I acknowledge that I have read and that I understand the above statements. I hereby authorize the Academy of Personalized Learning 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.

Signature of Complainant

Date: _____

Print Name

To be completed by the Charter School:

Received by: _____

Date: _____

Policy # _____
Date Approved: _____

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 the Academy of Personalized Learning 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 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 Academy of Personalized Learning:

Received by: _____ Date: _____

Academy of Personalized Learning

PARENT/STUDENT RIGHTS IN IDENTIFICATION, EVALUATION, ACCOMMODATION AND PLACEMENT

(Section 504 of the Rehabilitation Act of 1973)

The following is a description of the rights granted by federal law to students with disabilities. The intent of the law is to keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any of these decisions. Please keep this explanation for future reference.

You have the right to:

1. Have your child take part in and receive benefits from public education programs without discrimination because of his/her disabling condition.
2. Have the Academy of Personalized Learning (“Charter School”) advise you of your rights under federal law.
3. Receive notice with respect to Section 504 identification, evaluation and/or placement of your child.
4. Have your child receive a free appropriate public education. This includes the right to be educated with non-disabled students to the maximum extent appropriate. It also includes the right to have the Charter School make reasonable accommodations to allow your child an equal opportunity to participate in school and school-related activities.
5. Have your child educated in facilities and receive services comparable to those provided to non-disabled students.
6. Have your child receive special education and related services if he/she is found to be eligible under the Individuals with Disabilities Education Act (IDEA) [20 U.S.C. Chapter 33, P.L. 101-4761.] or to receive reasonable accommodations under Section 504.
7. Have an evaluation, educational recommendation, and placement decision developed by a team of persons who are knowledgeable of the student, the assessment data, and any placement options.
8. Have your child be given an equal opportunity to participate in non-academic and extracurricular activities offered by the Charter School.
9. Examine all relevant records relating to decisions regarding your child’s Section 504 identification, evaluation, educational program, and placement.
10. Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records.

11. Obtain a response from the Charter School to reasonable requests for explanations and interpretations of your child's records.
12. Request amendment of your child's educational records if there is reasonable cause to believe they are inaccurate, misleading or otherwise in violation of the privacy rights of your child. If the Charter School refuses this request for amendment, the Charter School shall notify you within a reasonable time and advise you of your right to an impartial hearing by the Charter School officers or designees to challenge information in education records.
13. Request mediation or file a grievance in accordance with the Charter School's Section 504 mediation grievance and hearing procedures.
14. Request an impartial hearing regarding the Section 504 identification, evaluation, or placement of your child. You and the student may take part in the hearing and have an attorney represent you.
15. File a formal complaint pursuant to the Charter School's Uniform Complaint Policy and Procedures.
16. File a formal complaint with the U.S. Department of Education.

Region IX
U.S. Department of Education
50 Beale Street, Suite 7200, San Francisco, CA 94105
(415) 486-5382; 877-521-2172 (TDY)
(415) 486-5570 FAX

Please contact the APL 504 Coordinator, c/o the Academy of Personalized Learning, 2195 Larkspur Lane, Suite 100, Redding, CA 96002, with any questions regarding the information contained herein.

Academy of Personalized Learning

IDENTIFICATION, EVALUATION AND EDUCATION UNDER SECTION 504 SECTION 504 PROCEDURES

Policy/Procedures # _____
Date Approved: _____

A. Definitions

1. **Academic Setting** – the regular, educational environment operated by the Academy of Personalized Learning (“APL” or “Charter School”).
2. **Individual with a Disability under Section 504** – An individual who:
 - a. has a physical or mental impairment that substantially limits one or more major life activities;
 - b. has a record of such an impairment; or
 - c. is regarded as having such an impairment.
3. **Evaluation** – procedures used to determine whether a student has a disability as defined within these Procedures, and the nature and extent of the services that the student needs. The term means procedures used selectively with an individual student and does not include basic tests administered to, or procedures used with, all students in a school, grade or class.
4. **504 Plan** – is a plan developed to identify and document the student’s needs for regular or special education and related aids and services for participation in educational programs, activities, and school-sponsored events.
5. **Free Appropriate Public Education (“FAPE”)** – the provision of regular or special education and related aids and services that are designed to meet the individual needs of persons with disabilities as adequately as the needs of persons without disabilities are met.
6. **Major Life Activities** - Functions such as caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, sitting, reaching, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, interacting with others, and working. A major life activity also includes the operation of a major bodily function, including but not limited to, functions of the immune system, special sense organs and skin, normal cell growth, digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions.

7. **Physical or Mental Impairment** –
 - a. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory; including speech organs; cardiovascular; reproductive; digestive; genitor-urinary; hemic and lymphatic; skin; and endocrine; or
 - b. Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.
8. **504 Coordinator** – The Executive Director shall serve as the Charter School’s Section 504 coordinator. The parents or guardians may request a Section 504 due process hearing from, or direct any questions or concerns to the 504 Coordinator at (530) 222-9275.
9. **Has a record of such an impairment** - means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.
10. **Is regarded as having an impairment** - means
 - a. An individual meets the requirement of 'being regarded as having such an impairment' if the individual establishes that he or she has been subjected to an action prohibited under this Act because of an actual or perceived physical or mental impairment whether or not the impairment limits or is perceived to limit a major life activity.
 - b. Being regarded as having an impairment shall not apply to impairments that are transitory and minor. A transitory impairment is an impairment with an actual or expected duration of 6 months or less.

B. Referral, Assessment and Evaluation Procedures

1. APL will evaluate any student who, because of disability, needs or is believed to need regular or special education and/or related aids and services.
2. A student may be referred by anyone, including a parent/guardian, teacher, other school employee or community agency, for consideration as to whether the student qualifies as a student with disabilities under Section 504. Requests for evaluation shall be made in writing, and a copy of said request will remain in the student’s file regardless of the final determination. This referral should be made to the Section 504 Coordinator who will convene a 504 Team. Any requests

made to another Charter School employee will be forwarded to the Section 504 Coordinator.

3. APL has the responsibility to ensure that students with disabilities are evaluated. Therefore, it is important that students who are or may be disabled are referred to the Section 504 Coordinator so that the assessment process is initiated.
4. The 504 Team convened by the Section 504 Coordinator will be composed of the student's parents/guardians and other persons knowledgeable about the student (such as the student's regular education teachers), the student's school history, the student's individual needs (such as a person knowledgeable about the student's disabling condition), the meaning of evaluation data, the options for placement and services, and the legal requirements for least restrictive environment and comparable facilities.
5. The 504 Team shall promptly consider the referral and determine what assessments are needed in all suspected areas of disability to evaluate whether the student is a student with a disability under Section 504 and what special needs the student may have. The decision regarding what assessments shall be undertaken shall be based on a review of the student's school records (including academic, social and behavioral records), any relevant medical records, and the student's needs. Students requiring assessment shall be provided appropriate assessments administered by qualified assessment specialists.
6. The 504 Team will consider the following information in its evaluation of the student:
 - a. Tests and other evaluation materials that have been validated for the specific purpose for which they are used and are administered by trained personnel;
 - b. Tests and other evaluation materials including those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient; and
 - c. Tests are selected and administered so as to best ensure that, when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or achievement level or whatever factor the test purports to measure, rather than reflecting the student's impaired sensory, manual, or speaking skills (except where those skills are the factors that the test purports to measure.)
7. The evaluation of the student must be sufficient for the 504 Team to accurately and completely describe: (a) the nature and extent of the disabilities; (b) the student's special needs; (c) the impact upon the student's education; and (d) what regular or special education and/or related aids and services are appropriate to ensure that the student receives a free appropriate public education. All significant factors relating to the learning process for that student, including

adaptive behavior and cultural and language background, must be considered. The evaluation may include, but is not limited to, classroom and playground observation, performance-based testing, academic assessment information, and data offered by the student's teachers and parent/guardian.

8. The parents/guardians shall be given an opportunity in advance of 504 Team meetings to examine assessment results and all other relevant records.
9. If a request for evaluation is denied, the 504 Team shall inform the parents/guardians in writing of this decision and of their procedural rights as described below.

C. 504 Plan

1. When a student is identified as disabled within the meaning of Section 504, the 504 Team shall determine what, if any, services are needed to ensure that the student receives a free, appropriate public education ("FAPE").
2. The 504 Team responsible for making the placement decision shall include the parents/guardians and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options.
3. For each identified disabled student, the 504 Team will develop a 504 Plan describing the student's disability and the regular or special education and/or related aids and services needed. The Plan will specify how the special education and/or related aids and services will be provided to the disabled student and by whom. The 504 Plan will also identify the person responsible for ensuring that all the components of the Plan are implemented.
4. The student's teacher and any other staff who are to provide services to the student or who are to make modifications in the classroom for the student shall be informed of the services or modifications necessary for the student and, if appropriate, provided a copy of the 504 Plan. A copy of this plan shall be kept in the student's cumulative file in a manner that limits access to those persons involved in the 504 process and/or the provision of services and modifications.
5. The disabled student shall be placed in the regular education environment unless it is demonstrated that the student's needs cannot be met in the regular education environment with supplementary aids and services. The disabled student shall be educated with students who are not disabled to the maximum extent appropriate to his/her individual needs.
6. The referral, assessment, evaluation and placement process will be completed within a reasonable time. It is generally not reasonable to exceed fifty (50) school days in completing this process.

7. The parents/guardians shall be notified in writing of the final decision concerning the student's identification as a person with disabilities, the educational program and services to be provided, if any, and of the Section 504 procedural safeguards, as described below, including the right to an impartial hearing to challenge the decision.
8. If the 504 Team determines that the student is disabled but that no special services are necessary for the student, the 504 Plan shall reflect the identification of the student as a disabled person under Section 504 and shall state the basis for the decision that no special services are presently needed.
9. The 504 Plan shall include a schedule for annual review of the student's needs, and indicate that this review may occur more frequently at the request of the parent/guardian or school staff.
10. APL shall immediately implement a student's prior 504 Plan, when a student enrolls at the Charter School. Within thirty (30) days of starting school, APL shall schedule a 504 Team meeting to review the existing 504 Plan. APL shall request a copy of the prior 504 plan from both the prior school and the parent/guardian.

D. Review of the Student's Progress

1. The 504 Team shall monitor the progress of the disabled student and the effectiveness of the student's 504 Plan. According to the review schedule set out in the student's 504 Plan, the 504 Team shall annually determine whether the services and modifications are appropriate.
2. A reevaluation of the student's needs shall be conducted before any subsequent significant change in placement.

E. Procedural Safeguards

1. Parents/guardians shall be notified in writing of all decisions regarding the identification, evaluation or educational placement of students with disabilities or suspected disabilities. Notifications shall include a statement of their rights to:
 - Examine relevant records
 - Have an impartial hearing with an opportunity for participation by the parents/guardians and their counsel
 - Have the right to file a Uniform Complaint pursuant to school policy
 - Seek review in federal court if the parents/guardians disagree with the hearing decision.

2. Notifications shall also set forth the procedures for requesting an impartial hearing. Requests shall be made to the 504 Coordinator c/o Academy of Personalized Learning, 2195 Larkspur Lane, Suite 100, Redding, CA 96002. Notifications shall advise that reimbursement for attorney's fees is available only as authorized by law.
3. The Director or designee shall maintain a list of impartial hearing officers who are qualified and willing to conduct Section 504 hearings. To ensure impartiality, such officers shall not be employed by or under contract with any district within El Dorado County SELPA or the County Office of Education in any capacity other than that of hearing officer and shall not have any professional or personal involvement that would affect their impartiality or objectivity in the matter.
4. If a parent/guardian disagrees with the identification, evaluation or educational placement of a student with disabilities under Section 504, he/she may request a hearing to initiate due process procedures. The parent/guardian shall set forth in writing his/her request for a hearing. A request for hearing should include:
 - The specific decision or action with which the parent/guardian disagrees.
 - The changes to the 504 Plan the parent/guardian seeks.
 - Any other information the parent/guardian believes is pertinent.
5. Within five (5) calendar days of receiving the parent/guardian's request for a hearing, APL may offer the parent/guardian an optional alternative dispute resolution process. However, the timeline for the hearing shall remain in effect unless it is extended by mutual written agreement of the parent/guardian and the Charter School. Alternative dispute resolution options include:
 - Mediation by a neutral third party.
 - Review of the 504 Plan by the Director or designee.
6. Within ten (10) calendar days of receiving the parent/guardian's request, the Director or designee shall select an impartial hearing officer. These 10 days may be extended for good cause or by mutual agreement of the parent/guardian and Director.
7. Within thirty-five (35) calendar days of the selection of the hearing officer, the due process hearing shall be conducted. These thirty-five (35) days may be extended for good cause or by mutual agreement of the parent/guardian and Director.
8. The parent/guardian and the Charter School shall be afforded the rights to:

- Be accompanied and advised by counsel and by individuals with special knowledge or training related to the individual needs of students who are qualified as disabled under Section 504.
 - Present written and oral evidence.
 - Question and cross-examine witnesses.
 - Receive written findings by the hearing officer.
9. The hearing officer shall issue a written decision within ten (10) calendar days of the hearing.
 10. If desired, either party may seek a review of the hearing officer’s decision by a federal court. The decision shall be implemented unless the decision is stayed, modified or overturned by a court.

F. **Suspension and Expulsion, Special Procedures for Students with Disabilities**

APL shall follow the suspension and expulsion policy and procedures as set forth in the charter. A pupil identified as an individual with disabilities or for whom APL has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act (“IDEA”) or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 (“Section 504”) is subject to the same grounds for disciplinary action, including suspension and expulsion, and is accorded the same due process procedures applicable to regular education pupils except when federal and state law mandates additional or different procedures. APL will follow the IDEA, Section 504, and all applicable federal and state laws when imposing any form of discipline on a pupil identified as an individual with disabilities or for whom APL has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such pupils. The following procedures shall be followed when a student with a disability is considered for suspension or expulsion. These procedures will be updated if there is a change in the law.

1. Notification of SELPA

APL shall immediately notify the SELPA, if appropriate, and coordinate the procedures in this policy for the discipline of any student with a disability or student who APL or SELPA would be deemed to have knowledge that the student had a disability.

2. Services During Suspension

Students suspended for more than ten (10) school days in a school year shall continue to receive services so as to enable the student to continue to participate

in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP/504 Plan; and receive, as appropriate, a functional behavioral assessment or functional analysis, and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur. These services may be provided in an interim alternative educational setting.

3. Procedural Safeguards/Manifestation Determination

Within ten (10) school days of a recommendation for expulsion or any decision to change the placement of a child with a disability because of a violation of a code of student conduct, APL, the parent, and relevant members of the IEP/504 Team shall review all relevant information in the student's file, including the child's IEP/504 Plan, any teacher observations, and any relevant information provided by the parents to determine:

- a. If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
- b. If the conduct in question was the direct result of the local educational agency's failure to implement the IEP/504 Plan.

If APL, the parent, and relevant members of the IEP/504 Team determine that either of the above is applicable for the child, the conduct shall be determined to be a manifestation of the child's disability.

If APL, the parent, and relevant members of the IEP/504 Team make the determination that the conduct was a manifestation of the child's disability, the IEP/504 Team shall:

- a. Have a BICM conduct a functional behavioral assessment or a functional analysis assessment, and implement a behavioral intervention plan for such child, provided that APL had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement;
- b. If a behavioral intervention plan has been developed, review the behavioral intervention plan if the child already has such a behavioral intervention plan, and modify it, as necessary, to address the behavior; and
- c. Return the child to the placement from which the child was removed, unless the parent and APL agree to a change of placement as part of the modification of the behavioral intervention plan.

If APL, the parent, and relevant members of the IEP/504 team determine that the behavior was not a manifestation of the student's disability and that the conduct in question was not a result of the failure to implement the IEP/504 Plan, then APL may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities.

4. Due Process Hearing/Appeals

The parent of a child with a disability under an IEP who disagrees with any decision regarding placement, or the manifestation determination, or APL believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request an expedited administrative hearing through the California Special Education Unit of the Office of Administrative Hearings:

Office of Administrative Hearings
Sacramento Special Education Division Office
2349 Gateway Oaks Drive, Suite 200
Sacramento, CA 95833

The parent of a child with a disability under a 504 Plan who disagrees with any decision regarding placement, or the manifestation determination, or APL believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request to utilize the appeal process outlined in the Procedural Safeguards section of these Procedures.

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or APL, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, whichever occurs first, unless the parent and APL agree otherwise.

5. Special Circumstances

APL personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a child with a disability who violates a code of student conduct.

The Director or designee may remove a student to an interim alternative educational setting for not more than forty-five (45) days without regard to whether the behavior is determined to be a manifestation of the student's disability in cases where a student:

- a. Carries or possesses a dangerous weapon, which is defined as a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except pocket knives with a blade of less than 2 1/2 inches in length, to or at school, on school premises, or to or at a school function;
- b. Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function; or
- c. Has inflicted serious bodily injury upon a person while at school, on school premises, or at a school function. A serious bodily injury is defined as a bodily injury which involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

6. Interim Alternative Educational Setting

The student's interim alternative educational setting shall be determined by the student's IEP/504 Team.

7. Procedures for Students Not Yet Eligible for Special Education Services

A student who has not been identified as an individual with disabilities pursuant to IDEA and who has violated the APL's disciplinary procedures may assert the procedural safeguards granted under these Procedures only if APL had knowledge that the student was disabled before the behavior occurred.

APL shall be deemed to have knowledge that the student had a disability if one of the following conditions exists:

- a. The parent/guardian has expressed concern in writing, or orally if the parent/guardian does not know how to write or has a disability that prevents a written statement, to APL supervisory or administrative personnel, or to one of the child's teachers, that the student is in need of special education or related services.
- b. The parent has requested an evaluation of the child.
- c. The child's teacher, or other APL personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education or to other APL supervisory personnel.

If APL knew or should have known the student had a disability under any of the three (3) circumstances described above, the student may assert any of the protections available to IDEA-eligible children with disabilities, including the right to stay-put.

If APL had no basis for knowledge of the student's disability, it shall proceed with the proposed discipline. APL shall conduct an expedited evaluation if requested by the parents; however the student shall remain in the education placement determined by APL pending the results of the evaluation.

APL shall not be deemed to have knowledge of that the student had a disability if the parent has not allowed an evaluation, refused services, or if the student has been evaluated and determined to not be eligible.



Academy of ~
Personalized Learning
2195 Larkspur Ln ste 100
Redding Ca 96002

To: Dr Patricia Dougherty
Re: Bottle Water Quote

Dear Dr. Dougherty,

Thank you for reconsidering us. And thank you for the time on Wednesday. I would like to apologize for asking for an invoice. I look forward to being my best and developing a great relationship. Thank you again for this opportunity.

We are the local Company that lives and works in our community. And mt Shasta Spring water puts back into the community through donations.

We get our water from the glaciers high atop mt Shasta. It's known to be some of the best natural spring water sources in the world. We bottle and deliver our water within about four days.



MT SHASTA
Spring Water

Sidebar Note: This Quote from Mount Shasta Spring Water purports to save APL approximately \$45.00 monthly Savings is due to the following:
Deposit savings, cost per water bottle, and energy surcharges.

Pricing:

5 gallon Spring Water - 4.95 (no tax)

Hot and Cold dispensers - n/c

Bottle Deposits - two @ 8.00 - 16.00
(one time refundable)

Energy sur charge - n/c

We also have a coffee service if you have any interest.

Kevin Henningfeld

530) 941-1281



2012-2013 VEP PARENT'S LIST

**For information only. APL Teacher must submit request for VEP courses, unless the parent will pay for the course in full.
Please let your APL Teacher know by the 25th of the month of any vendor changes for the following month.
Non-attendance will result in cancellation of VEP privilege.**

SUBJECT AREA	CONTACT	PHONE	DESCRIPTION	FEES
Burney				
P. E. or VAPA	Dance Depot Yvonna Kuyper	241-7764 (studio) 275-9618 (home office)	Tap, Hip Hop, Jazz, Ballet, Lyrical, Acrobatics, Broadway Burney classes are Nov-June on Thursdays (June is parent pay) See their brochure on website: danc depotfamily.com	\$48 per month: 1 hour lesson once per wk. (Discount pricing available for more classes.) \$20.00 start-up fee Costume fees: Christmas Showcase costume \$30 June Production \$50 per costume \$55.00 production fee
P.E.	Kenpo Karate Scott Halsey	246-4003	Karate Lessons Burney classes are Wednesdays @ 4:00 pm	\$50 per month 1 60 minute lesson per wk Uniform \$32.75
Trinity County				
Art P.E.	John Garrett	530-623-4349	Grades K-5: Art (Altered Books) Grades K-12: Ceramics Grades K-12: PE/Frisbee Grades K-6: Vocal Music	\$50 per month 90 minute lesson once per week Times vary
Redding				
Academic Enrichment	Melanie Stack	247-6966	Melanie also offers individual subject classes in Writing (55 minutes for students in K-8) and Discovery Science (50 minutes/K-	\$40 per month 1 lesson per wk 50

SUBJECT AREA	CONTACT	PHONE	DESCRIPTION	FEES
			3).	min. lesson
Academic Writing Instruction	Kimberly Shaw	549-3473	3 rd -4 th or 4 th and 5 th grade Writing Instruction (based on student ability) Younger grades as well...information to come.	\$50 per month 1 hour 45 min. 1 lesson per wk
Art	Youth Digital Arts Cyber School	www.YDACS.com	Online Digital Arts Grades 3-HS	Varies... check online course info
Art	Deborah Salyers	222-2206	Art: Drawing and Painting Beginning: K-3, 1 hr; Intermediate: 4-7, 1 hr; Advanced: 8-12, 1.5 hr.	\$50 per month 1 lesson per wk
Art	Deena Dains	530-604-3758	Knitting	\$50 per month 1 lesson per wk
Art – Ceramics Art – Stained Glass	Kimberly Makin	365-6316	Pottery/Ceramics –There is a limit of 12 students per class and a minimum of 5 students. Stained Glass – There is a limit of 6 students per class with a minimum of one student. Age levels: 13-19 years old.	Ceramics: \$40 per month 90 minute lesson 1 lesson per week Stained Glass: \$45 per month 90 minute lesson 1 lesson per week
Art - Digital Photography	Roxi Mueller	365-7579 C722-7678	Beginning Digital Photography 5-12 th grades Students will need to have a digital camera. Students will need required text. Check with APL library for availability. Roxi offers classes both at APL and in her home. Description from vendor: "I have had a few years of experience in digital photography. I have been published and won several photography awards. I love all types of photography but specialize in portraiture and events. Here is a list of the things we will cover in the Introduction to Photography class this fall: 1. Getting Started: Settings; 2. Lighting; 3. ISO, F/stops, and Shutter Speeds; 4. Exposure Basics; 5. Flash and Color Temperature; 6. Understanding Macro Photography; 7. Basic Do's and Don'ts in Picture Taking; 8. Simple Rules of Composition; 9. Understanding Lenses; and 10. Introduction to Photoshop.	\$45 per month 60 min lesson 1 lesson per wk 1 semester class
Music – Drums	Stephen Joseph	223-3943	Drum lessons for all levels	\$80 a month 30 min. lesson 1 lesson per wk

SUBJECT AREA	CONTACT	PHONE	DESCRIPTION	FEES
Music - Guitar	Nick Ciampi	949-7212	Guitar, bass, and piano lessons. Small group guitar classes will be at APL on Tuesday for high school and Wednesday/Friday for elementary and middle school students. Nick can also arrange for private lessons.	\$50 per month 60 min. lesson 1 lesson per week \$80 per month for private lessons
Music - Guitar	Jeffery Wilder	221-7235	Acoustic, bass and electric guitar lessons	\$80 per month 30 minute private one-on-one lesson 1 lesson per wk \$50 per month for small group lesson 45 minute lesson 1 lesson per wk
Music - Piano	Nancy Brown	Cell 638-6399 (Please leave message. Nancy may be teaching and will call back.)	Piano lessons Description from the vendor: "Enrich your child's life with the excitement of learning the piano! Introductory, Intermediate, and Advanced lessons cater to all learning levels...Students learn at their own pace in a stress free environment, to make their musical experience most enjoyable...Weekly incentive prizes are offered to allow the student to be rewarded for "their own personal" achievements. Nancy Brown has been teaching piano for over 20 years... an accomplished performer who has achieved many awards in state wide competitions. Her love of piano provides Nancy the afforded attributes to infectiously inspire her students. Passion... and a genuine love for music is inspired in each lesson filled with practical theory concepts which provide students the essential understanding of the language of music with "hands on" applications. Students learn to read notes as well as play scales and understand basic musical theory concepts. Watch as your child grows with the love for music... Piano has been known for the building of in depth minds creating exceptional students that develop faster in all areas of life."	\$85 per month 30 minute lesson 1 lesson per wk
Music - Piano	Lindy Ingraham	221-4304	Piano lessons	\$73 per month 30 min. lesson 1 lesson per wk
Music – Piano	Stacy Mizuta	530-229-1351 Cell 524-5961	Piano lessons	\$60 per month 30 min. lesson 1 lesson per wk

SUBJECT AREA	CONTACT	PHONE	DESCRIPTION	FEES
Music – Piano	Stephani Gurczynski	530-524-8866	Piano lessons: Beginner to Intermediate, (5 yrs - up)	\$60 per month 30 min. lesson 1 lesson per wk
Music-Piano	Kelly Shackelford	530-242-6412	Piano lessons K-12	\$75 per month 30 min. lesson 1 lesson per wk
Music - Piano	Karen Severson	246-3891	Piano lessons: Pre-K – 12th (& adult)	\$72 per month 30 min. lesson 1 lesson per wk
Music-Piano	Becca Johnson	355-9946	Piano lessons grades 1-12	\$68 per month 30 min. lesson 1 lesson per wk
Music – Violin	Kendra Wieck	924-4284	Suzuki violin lessons K-12	\$100 per month 30 min. lesson 1 lesson per wk
	Doreen Olson	241-2066	Beginning and Intermediate Violin ----- By recommendation only: String Ensemble	Violin: \$44 per month 30 minute lesson 1 lesson per wk Ensemble: \$44 per month 1 hour lesson 1 lesson per wk
Music-Violin	Kendra Wieck	924-4284	Suzuki violin lessons	\$100 per month 30 minute lesson 1 lesson per week
Music – Wind Instruments and others	Music Max	547-7070	Music instruction for various instruments, including guitar, bass, drums, piano, brass, woodwinds, fiddle, misc. stringed instruments, vocal instruction, and song production.	\$80 per month ½ hour private lesson 1 lesson per wk (4 per month)
P.E. – Martial Arts	Kenpo Karate Scott Halsey	246-4003	Karate Lessons	\$50 per month two 60 minute lessons per wk Uniform \$32.75

P. E. Or VAPA	Dance Depot Yvonna Kuyper	241-7764 275-9618	Tap, Hip Hop, Jazz, Ballet, Lyrical, Acrobatics, Broadway See their brochure on website: dancedepotfamily.com for tuition schedule, holiday schedule, dress code, etc.	\$48 and up per month: 1 hour lesson once per wk. (Discount pricing available for more classes.) \$20.00 start-up fee Costume fees: Christmas Showcase costume \$30 June Production \$50 per costume/2 max \$55.00 production fee
P.E.	Galaxy Gymnastics	222-4496	Gymnastic lessons K-12, beginners on up. Lessons begin at \$55.00 for 1 hour, and as students advance in ability and level, lessons can go up in cost, length, and number of lessons per week. There is also a \$65.00 registration fee.	\$55 per month 1 hour lesson 1 lesson per week
P.E.	G-Force Gymnastics	227-4831	Gymnastic lessons, trampoline and tumbling classes. Kindergarten and up. **New location on Bechelli.	\$45 per month for beginner, more for advanced 1 hour lesson 1 lesson per week
P.E.	NorCal Elite Gymnastics	223-5483	Gymnastic lessons: recreational to competitive team gymnastics, including artistic gymnastics (uneven parallel bars, balance beam, vault, floor exercises) and TNT (tumbling and trampoline) K-12, beginners on up. Lessons begin at \$40.00 for 1 hour, and as students advance in ability and level, lessons go up in cost, length, and number of lessons per week.	\$40 per month for beginner 1 hour lesson 1 lesson per week \$25 annual insurance fee per student
P.E.	YMCA Tiffany Rasmussen	246-9622	Physical Education Ages 13-18 only unless family has a family membership	\$33 per month
P.E.	Shasta Athletic Club	241-7711	Physical fitness K-12 services available	\$50 per month
P.E.	Team Quest	953-5505	Youth Brazilian JiuJitsu and Submission Wrestling K-12	\$85 per month 1 hr lesson 5 day a week

				(Monday-Friday)
P.E.	Adventure Recreation LLC (formally Athletics Unlimited)	365-2235	Gymnastics K-12, beginners on up. Lessons begin at \$45.00 for 1 hour, and as students advance in ability and level, lessons can go up in cost, length, and number of lessons per week.	\$50-70 per month 1 hour lesson 1 lesson per week
P.E.	Redding Swim Team Aqua Ducks	246-2666	Beginning to advanced swim lessons. Swimmers learn proper swimming techniques, importance of physical fitness, and the rewards of commitment. See website for additional info: www.reddingswimteam.com	\$40-\$110 per month depending upon student level \$75 initial insurance fee
P.E./Music	Celebration	530-605-4311	Physical fitness and music. Tailored for the homeschool family. See website at www.celebrationredding.com	\$50 per month. Costs vary, and can amount to more per month, depending upon what student's choose to do
P.E.	Sun Oaks	530-221-4405	Physical fitness	\$42 per month
P.E.	Round Mountain Martial Arts School of Self Defense	530-276-5604	Physical fitness	\$50 per month
Vocational/Life Skills Sewing	Hokema's Sewing Christie Smith	223-1970	Beginning sewing lessons, grades 5-12.	\$60 per month 2 hour lesson 1 lesson per wk
Vocational/Life Skills Sewing and Fashion Design	The Fabulous Fabric Shop Renee Noel	530-221-1608	1 st through 12 th grade. Modern sewing studio offering fashion fabric and sewing.	\$60 per month 2 hour lesson 1 lesson per wk

Tips on how to select a vendor: If you do not have recommendations from friends or family, call the vendor you are interested in and inquire about their teaching style and/or methods. You want to make sure that you choose the right vendor for your child. Most of our vendors have several class times and dates and will work with you, but be sure to discuss scheduling with them. Also, keep in mind; it may take several months for a child to learn a new skill.