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## **The Academy Board of Directors**

*Executive Work Session  
Monday, September 30, 2024  
5:30 – 6:55pm*

### Agenda

Review of Sunflower Financing Proposal 30 Minutes

*Expectation: The Executive Director and Board representatives on the Finance Committee will share the details of a proposal from Sunflower Bank to provide financing for upcoming facilities work. The Academy's Legal Counsel will also share information about the governance considerations associated with this process.*

Monthly Board Communications Review 10 Minutes

*Expectation: Each month, Board members will acknowledge and discuss any community feedback or complaints that have been received since the last meeting.*

Unified Improvement Plan 10 Minutes

*Expectation: The Chief Academic Officer will share the final draft of the 2024-25 Unified Improvement Plan developed in collaboration with the School Accountability Committee.*

Ongoing Policy Review 20 Minutes

*Expectation: The Board will review one policy each month and update as needed for compliance and alignment with the school mission and vision. This month we will review the Non-Discrimination and Name Changes Policies.*

Board Self-Evaluation Revisions 15 Minutes

*Expectation: The Board Chair will share an updated version of the draft Board Self-Evaluation.*



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## **The Academy Board of Directors**

*Board Meeting  
Monday, September 30, 2024  
7:00pm*

### Agenda

- I. Open Meeting  
The Academy's mission is to help all students grow into college ready, exemplary citizens by combining academic mastery with personal empowerment to drive lifelong success. We serve our full community by intentionally developing a school culture that embraces diversity, equity, and inclusion. With this in mind, the Board of Directors welcomes all members of our community to this meeting and invites each person to begin our time together in whatever way will help ground you for thoughtful and productive discussion - a few deep breaths, a prayer, a moment to organize your thoughts, or whatever meets your needs.
- II. Consent Agenda
  - a. Approve Agenda
  - b. Approval of [August 26, 2024](#), minutes
- III. Public Comment  
*The chairperson will recognize anyone who signs the request form before the meeting time. Public comment and input shall be limited to fifteen minutes total, ten minutes per topic, and 2 minutes per speaker. Neither Board members nor Academy staff is obligated to respond to comments or input. The Board will provide written responses as deemed appropriate.*
- IV. Reports from Directors, Principals, and Committees
  - a. [Executive Director Report](#) – *Expectation: The ED will update the Board on the start of the new school year as well as progress toward financial and operational strategic priorities.*
  - b. [Chief Academic Officer Report](#) - *Expectation: The CAO will update the Board on the start of the new school year as well as progress toward instructional and cultural strategic priorities.*
  - c. Committee Reports – *Expectation: Committee Chairs will update the Board on progress with each committee.*
    - i. Finance – See [Executive Director Report](#)
    - ii. [SACademic](#) – See meeting minutes
    - iii. [PTO](#) – See meeting minutes

V. Presentation and Discussion

- a. [Sunflower Bank Financing Proposal](#) – *Expectation: The Board will complete any discussion needed related to this proposal ahead of a vote to approve.*
- b. [Non-Discrimination Policy Updates](#) – *Expectation: The Board will complete any discussion needed related to this updated policy ahead of a vote to approve.*
- c. [Name Change Policy](#) – *Expectation: The Board will complete any discussion needed related to this new policy ahead of a vote to approve.*
- d. Executive Director Evaluation Check-In – *Expectation: The Board will acknowledge the annual evaluation cycle for The Academy's Executive Director and identify any related upcoming action steps.*
- e. Work Session Summary – *Expectation: The Board Chair will summarize the topics discussed during the work session prior to this formal meeting.*
- f. Executive Session C.R.S. §24-6-402(4) – *Expectation: As needed, the Board may call an executive session for one of the specific topics identified below via a 2/3 majority.*
  - i. Discussions regarding buying or selling property;
  - ii. Conferences with an attorney to receive legal advice;
  - iii. Matters required to be kept confidential by state or federal law (e.g., student academic records);
  - iv. Security arrangements or investigations;
  - v. Determining contract negotiation strategies;
  - vi. Personnel matters;
  - vii. Consideration of documents protected from disclosure under the Open Records Act; or
  - viii. Discussion of individual students where public discussion would adversely affect the student involved.

VI. Executive Summary

- a. Resolution Appointing Members to [The Academy Building Corporation](#) – *Expectation: Board members will vote to appoint new members to the Building Corporation.*
- b. Resolution to Pursue [Sunflower Financing Proposal](#) – *Expectation: Board members will vote to move forward with proposed financing from Sunflower Bank.*
- c. Approval of [Harassment Policy Updates](#) – *Expectation: Board members will vote to approve updates to the Harassment Policy as discussed in the August meeting.*
- d. Approval of [Grievance Policy Updates](#) – *Expectation: Board members will vote to approve updates to the Grievance Policy as discussed in the August meeting.*
- e. Approval of [Student Complaints Policy Updates](#) – *Expectation: Board members will vote to approve updates to the Student Complaints Policy as discussed in the August meeting.*
- f. Approval of [Non-Discrimination Policy Updates](#) – *Expectation: Board members will vote to approve updates to the Non-Discrimination Policy.*
- g. Approval of [Name Change Policy](#) – *Expectation: Board members will vote to approve the Name Change Policy.*

- VII. Board Meeting Self-Scoring – *Expectation: The board will self-score their performance for the meeting according to preset criteria.*

Scoring Rubric	
1	Unsatisfactory
2	Satisfactory, looking for significant improvement
3	Satisfactory, improving but still below expectations
4	Efficient meeting, meets expectations

\_\_\_/4

- VIII. Adjourn Meeting

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Board of Directors  
Board Meeting Minutes  
Monday, August 26, 2024

Board Members Present:

Sarah Drewlow	Chairperson
Dan Klenjoski	Treasurer
Kristen Cofrades	Board Member
Kevin Sanchez	Board Member
Autumn Coffee	Secretary
Amy McDuffee	Vice Chairperson
Larissa Fransua	Board Member-online

Also Present:

Brent Reckman	Executive Director
Sarah Gramarossa	Chief Academic Officer
Andrea Foust	Director of Finance
Susan Wagar	Director of Operations
Stacy McCleskey	Exec. Admin. Manager

Minutes of the regular board meeting of The Academy held at 11800 Lowell Blvd, Westminster, CO 80031 in Adams County on August 26, 2024.

I. Open Meeting

A quorum being present, Mrs. Drewlow called the meeting to order at 7:00 pm.

II. Consent Agenda

- a. Mrs. McDuffee moved to approve the July 10, 2024, minutes. Seconded by Ms. Fransua.

Discussion: None

Ayes: Mrs. Cofrades, Mr. Klenjoski, Mr. Sanchez, Mrs. Coffee, Mrs. Drewlow

Nays: None

III. Public Comment

There was no public comment this month.

IV. Reports from Directors, Principals, and Committees

a. Executive Director Report

- i. Summer Facilities Work-40 projects accomplished at both campuses
- ii. Enrollment-currently 1890 (Oct 2023- 1832). The 24-25 Budget was figured with 1835 K-12.
- iii. Facilities-The architect finished the design development phase in July. Price projections are holding. In our Aug 28 meeting we will go through more numbers. We are collecting documents for Sunflower Bank for the loan application. No documents have been signed and no rate has been locked in.

- b. Chief Academic Officer Report
  - i. Major work has been done on the Unified Improvement Plan, and we are finalizing the draft.
  - ii. Interventions are in place to catch students who need help sooner than in the past.
  - iii. The team is working on incentives to increase student attendance.
- c. Committee Reports
  - i. Finance Committee- No meeting this month
  - ii. SACademic Committee-No meeting this month
  - iii. PTO-See minutes

V. Presentation and Discussion

- a. 2024-2025 Bi-Annual Scorecard
  - i. Executive Director presented the final scorecard of information that was discussed at Board Retreat on July 29, 2024.
- b. Update on State-Level Data
  - i. The data shows we have the best jump we have seen in data. Hopeful that with CAO strategies, the trajectory will only get better and help us reach our goal to be in the top 5 in schools in our area.
- c. Enrollment Data Review
  - i. Enrollment numbers have been steady over the last few years.
  - ii. Student retention is very steady, and we expect this year to continue in 90% range.
- d. Reimbursement Resolution
  - i. This resolution says The Academy can reimburse general funds with loan money when engaging in high cost facility work (ex. architect needs to be paid before we close on the loan).
- e. Updated Physical Intervention, Restraints, and Seclusion Policy
  - i. We have updated the Policy to reflect new rules from Colorado State Board of Education
- f. Review Student Data Security Policy
  - i. Nothing has changed with this policy; we are just moving through our annual policy renew process.
- g. Executive Session-not needed this month
- h. Work Session Summary
  - i. Board Communication Review
  - ii. Ongoing policy review-Discussed updates to be made on policies and Title IX.
  - iii. Board Self Evaluation-discussed revisions to be made

VI. Executive Summary

- a. Reimbursement Resolution: Mrs. Drewlow made a motion to approve the Reimbursement Resolution as presented. Mr. Sanchez seconded the motion.

Discussion: None

Ayes: Mrs. Cofrades, Mr. Klenjoski, Mrs. Coffee, Mrs. McDuffee, Ms. Fransua

Nays: None

- b. Physical Intervention, Restraints and Seclusion Policy: Mrs. Drewlow made a motion to approve the Physical Intervention, Restraints, and Seclusion Policy as presented. Mrs. Cofrades seconded the motion.

Discussion: None

Ayes: Mr. Klenjoski, Mr. Sanchez, Mrs. Coffee, Mrs. McDuffee, Ms. Fransua

Nays: None

- c. Student Data Security Policy: Mrs. Drewlow made a motion to approve the Student Data Security Policy as presented. Mr. Klenjoski seconded the motion.

Discussion: None

Ayes: Mrs. Cofrades, Mr. Sanchez, Mrs. Coffee, Mrs. McDuffee, Ms. Fransua

Nays: None

- VII. Board Meeting Self-Scoring Board Self-Scoring – Today’s meeting was both efficient and met expectations, so the score is 4.

- VIII. Adjourn Meeting

- a. Mrs. Drewlow adjourned the meeting at 8:02 pm.

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## **Executive Director Board Report – September 2024 Meeting**

*Expectation: Share information about ongoing implementation of initiatives in support of the Finance & Operations section of The Academy's 5-year Strategic Plan and other Board priorities.*

### **Finance & Operations**

The Board finalized the 2024-25 Data Dashboard at the August meeting. The Executive Director and Director of Operations will present a mid-year update as it pertains to the Bi-Annual Finance & Operations Scorecard at the semester break.

[Finance & Operations Scorecard linked here.](#)

We are poised for an exciting year from the Finance & Operations perspective. We have already accomplished a great deal of facilities upgrade work over the summer, and Construction Documents for the planned renovation and expansion projects will be complete by mid-October. We received a formal proposal in early September from Sunflower Bank on a financing package intended to fund this work. The Finance Committee heard a presentation on that proposal from the school's Financial Advisor in their September meeting, and the Board will discuss it further with guidance from Legal Counsel at this month's meeting.

### **Enrollment Update**

To start the 24-25 school year, our PK-12 enrollment currently sits at 1888 (40PK and 1848 K-12). Those numbers were 1871 at this time last year. Historically, there is still a lot of movement on enrollment numbers through the month of September. The 24-25 budget is based on 1875 (40 PK and 1835 K-12).

### **Finance Committee Minutes**

The first Finance Committee meeting of the year was held on September 19<sup>th</sup>. The group welcomed two new parent members (Kris Kelley and Tony Marola) and one new staff member (Roxanne Ellsworth replacing Stephanie Mann in the rotating Principal seat). The Committee heard from the school's Financial Advisor regarding a financing proposal from Sunflower Bank. The group was satisfied with the information presented and easily reached consensus to give their green light for the Board to move forward in this process. The Committee also discussed its strategic goals for the 24-25 school year, which will focus on responsibly funding facilities development. This is a shift from recent years, where the focus was on responsibly funding pay increases for staff. The Committee self-rated at a "4" for this month's meeting.



## Finance Report Review

Acct	Account	August	FY 2025 YTD	FY2025 Budget	YTD % of Budget	FY2025 Expected End of Year
<b>Revenue</b>						
1500	Earnings on Investments	37,522.23	74,938.18	\$200,000.00	37.5%	\$200,000.00
1600	Food Services	8,421.49	24,732.59	\$135,000.00	18.3%	\$135,000.00
1700	Pupil Activities	65,504.81	169,870.40	\$650,000.00	26.1%	\$650,000.00
1800	Community Services Activities	47,885.66	122,763.06	\$970,000.00	12.7%	\$970,000.00
1900	Other Local Sources	86,587.44	165,330.17	\$375,000.00	44.1%	\$375,000.00
3000	Revenue from State	61,237.83	154,999.34	\$1,061,171.13	14.6%	\$1,061,171.13
3100	Categorical Revenue	0.00	0.00	\$521,082.00	0.0%	\$521,082.00
3200	Adjustments to Categorical Revenue	0.00	0.00	\$0.00		\$0.00
3900	Other Revenue From State Sources	38,015.21	1,378,796.34	\$5,116,200.12	26.9%	\$5,116,200.12
5200	Interfund Transfers	0.00	0.00	\$0.00		\$0.00
5600	Direct Allocations	1,735,969.57	3,471,939.14	\$20,362,155.05	17.1%	\$20,362,155.05
11	<b>Total Revenue</b>	<b>\$2,081,144.24</b>	<b>\$5,563,369.22</b>	<b>\$29,390,608.30</b>	<b>18.9%</b>	<b>\$29,390,608.30</b>
<b>Expenditure Summary</b>						
0100	Total Salaries	1,039,397.51	1,203,485.19	13,535,536.60	8.9%	\$13,535,536.60
0200	Total Benefits	359,721.16	439,306.64	5,247,739.45	8.4%	\$5,247,739.45
0300-0500	Total Purchased Svcs	478,446.93	1,276,851.17	6,861,577.87	18.6%	\$6,861,577.87
0600	Total Supplies	169,039.62	469,613.47	2,412,348.05	19.5%	\$2,412,348.05
0700	Total Property	162,843.00	184,464.45	610,714.33	30.2%	\$610,714.33
0800	Total Fees/Pupil Activities	43,645.63	74,607.37	722,692.00	10.3%	\$722,692.00
	<b>Total Expenditures</b>	<b>\$2,253,093.85</b>	<b>\$3,648,328.29</b>	<b>\$29,390,608.30</b>	<b>12.4%</b>	<b>\$29,390,608.30</b>
	Salary Accrual Adj.		\$167,319.97			
	<b>Net Profit (loss)</b>	<b>-\$171,949.61</b>	<b>\$1,747,720.96</b>	<b>\$0.00</b>		<b>\$0.00</b>
	Board Approved Beg. Fund Balance Use			\$0.00		\$0.00
	<b>Budgeted Margin</b>			<b>\$0.00</b>		<b>\$0.00</b>
	<b>Beginning Fund Balance</b>			<b>\$12,448,704.37</b>		<b>\$12,448,704.37</b>
	<b>Est. Ending Fund Balance</b>			<b>\$12,448,704.37</b>		<b>\$12,448,704.37</b>

Important points from the August Finance Report include:

- Earnings on investments are likely to decrease with the Fed lowering interest rates;
- Universal Pre-K funding is now being transferred from the state one month in arrears;
- Mill Levy Equalization funding is now being transferred from the state on a quarterly basis; and
- Initial Facilities Master Plan expenses are included in the Total Property line.

## Facilities Master Plan Update

Work is moving forward steadily on the planned building renovation and expansion projects. The Academy's architect (HCM) completed the Design Development phase in July and will complete the Construction Documents phase by mid-October. Our contractor (JHL) will provide an initial Guaranteed

Maximum Price (GMP) by the end of September and a final GMP by early November. We continue work on submitting a list of diligence items to Sunflower Bank as part of our application for financing. We are targeting a mid-November closing date on our financing package. All work is proceeding on schedule.

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## **Chief Academic Officer Board Report – September 2024 Meeting**

*Expectation: Share information about ongoing implementation of initiatives in support of the Instruction & Culture section of The Academy's 5-year Strategic Plan and other Board priorities.*

### **Instruction & Culture Scorecard**

Students have completed baseline assessments (Star & MAPs) to start the year. Principals will present on their beginning-of-year data as it pertains to the Bi-Annual Instruction & Culture Scorecard at the October Special Meeting.

#### [Scorecard](#)

#### **CAO September Snapshot**

CAO has been focusing on math instruction with K-5 principals. The CAO has been conducting walkthroughs and observations during math instruction across K-5 to norm and provide supports/feedback for teachers and principals. CAO has facilitated or led trainings with various student support teams (504, GT, IEP, MLL) and level principals to continue to build capacity, norm, and increase bandwidth. CAO is currently working with all level principals/teams to continue their vision and development with MTSS processes and structures. CAO has worked with level administration to create goals, plans, and communication for attendance. CAO is working with CSI and our Special Education Team to continue to develop and implement Moderate Needs Programming at each level.

#### **Summary of the Student Performance Framework (SPF)**

The Academy was rated as a Performance Plan School for the 23-24 school year. Schools that fall in this range score between 53%-100% on their Student Performance Framework. The Academy scored 70.4/100. All three levels of the school (Elementary, Middle, and High School) were in this Performance Plan range. The Academy met state benchmarks in both growth and achievement in Elementary and Middle School. Academic achievement in High School was approaching the state benchmark and growth met the state benchmark. Highlights from the SPF include High School growth data on PSAT/SAT Math. High School met the state benchmark in all areas and exceeded the benchmark for our Multi Lingual Learners. The graduation rate exceeded the state benchmark. In Elementary and Middle School, our Students with Disabilities met the state benchmark for growth in CMAS English Language Arts. Some areas to monitor include Multi Lingual Learner growth at the Elementary level and growth for Students with Disabilities particularly in math at the Elementary and Middle School level.

#### **Graduation Trajectory (Percent of seniors on track to graduate.)**

90.6% of seniors are on track to graduate.

3% are NOT on track. (4 students will not graduate this year.)

8% are on the cusp. (They can do it, but they're close. They are being closely monitored and have plans in place.)

### ***Attendance Update***

As of 9/23, we had a 93.6% attendance rate across K-12. Our goal is 95% attendance rate.

We are slightly above last year at this same time. (92%)

21% of students are considered chronically absent at this point in the year. Level administration has reached out to those families to create plans and supports as needed. (Some of this is due to vacations or illness. Since we are early in the year, even just 3 absences will place students in this category.)

In comparison, in May of 2024, 30% of our students were considered chronically absent. We would like to continue the downward trend.

## **CAO Strategic Initiatives**

### Big Rock 1 - Declining Growth Among Students Identified with READ Plans

K-5 Literacy Interventionists have completed Acadience testing. They analyzed and used that data to determine which students qualify for a READ Plan. Their groups have been created and they have started small group instruction using Orton-Gillingham with the identified students. We will be able to share the exact number of identified students at the October Special Meeting.

### Big Rock 2 Declining Growth in Elementary Math

K-5 teachers engaged in a professional development session on Friday, 9/20, focused on “just in time” learning using our math curriculum. Teachers had the time to plan using the checkpoints and data from the curriculum and STAR Math to develop action plans for the next 3-5 weeks. Interventionists at K-5 have identified students who need additional support in math and have begun small group targeted instruction with those students.

### Big Rock 3 Low Growth in Middle School and High School Math

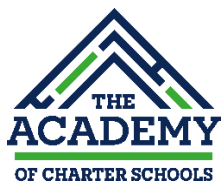
High school purchased Math 180 intervention curriculum. Students who are identified as needing more significant math intervention are enrolled in this year-long course.

Middle School has a dedicated math interventionist who has started pushing into classrooms to support students and teachers. Middle School completed MAPS testing. The Middle School team is currently working to determine skill need areas and identify specific students and support needs. Those identified students will receive additional targeted instruction from the Math Interventionist.

### Big Rock 4- Low Growth in Middle School Reading

Middle School has a dedicated literacy interventionist who has started pushing into classrooms to support students and teachers using real time data in the classroom. Middle School completed MAPS testing and is currently working to determine skill need areas and identify specific students and support needs. Those identified students will receive additional targeted instruction from the Literacy Interventionist.

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# SACademic Committee

## September 2024 Agenda & Meeting Minutes

**“Fueling lifelong success through preparation, exploration, and empowerment.”**

The Academy’s mission is to help all students grow into college ready, exemplary citizens by combining academic mastery with personal empowerment to drive lifelong success. We serve our full community by intentionally developing a school culture that embraces diversity, equity, and inclusion.

Scoring Rubric	
1	Unsatisfactory
2	Complete, looking for significant improvement
3	Complete, improving but still below expectations
4	Complete, meets expectations

### Members Present:

#### 1. Welcome and Review Protocols

*Expectation: All committee members will start the meeting together with focus.*

##### Meeting Protocols

- Start on time; end on time
- Members arrive prepared
- Technology for meeting use
- No sidebar conversations
- Focus eyes, ears, and heart on speaker and topic

### Notes:

*The Committee returned all members from last year and welcomed two new staff members – Sarah Gramarossa (CAO) and Anna Gregory (4<sup>th</sup> Grade Teacher).*

#### 2. Review 2024-25 Unified Improvement Plan Draft

*Expectation: Committee members will review the draft UIP and provide feedback to shape The Academy’s final submission.*

- UIP Process from a 10,000’ Level
  - What questions does the committee have about the purpose of a UIP?
  - What questions does the committee have about The Academy’s process for drafting the UIP?
  - What questions does the committee have about how the UIP is used after it is

written and submitted?

- Feedback for the Final Draft
  - What questions does the committee have about the analysis of The Academy's current performance?
  - What feedback does the committee have for the final draft of the following sections?
    - Current Performance
    - Priority Performance Challenges
    - Major Improvement Strategies
    - Target Setting

**Notes:**

*The Committee confirmed that the draft UIP met all expectations based on input from the group last spring. It is ready for Board confirmation and submittal.*

**3. Family, School, & Community Partnerships Plan**

*Expectation: The committee will revisit the Family, School, & Community Partnerships Plan that was finalized last spring and discuss upcoming priorities for the 2024-25 school year.*

**Notes:**

*The Committee reviewed the FS&CPP and confirmed upcoming action steps for the fall semester. The CAO will take the lead on implementing identified next steps related to Partnership Practice #1 during Student-Led Conferences in October. The Committee will have data to review from this initial implementation. The Director of Postsecondary Workforce Readiness shared data on the initial implementation of Partnership Practice #2 last April. The group will continue to review these data and discuss them further leading up to the second round of implementing this strategy in the spring.*

**4. Self-Assessment**

*Expectation: The committee will self-assess on the effectiveness of today's meeting.*

**Notes:**

4

**Next Meeting: October 14, 2024**

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## The Academy of Charter Schools

### PTO Meeting Minutes

September 4, 2024

#### Attendees:

Steph Pearl, President  
Ioana Makkai-Dutchievici, Treasurer  
Susan Wagar, Secretary  
Kevin Utile, Fundraising  
Nikki Roma, Vice President

Stephanie Bean Keller  
Nadia Isaac, online

#### Call to Order:

The Meeting was called to order at 6:01 pm.

#### Approval of Minutes:

Ioana Makkai-Dutchievici made a motion to accept the minutes as presented. Stephanie Bean Keller seconded the motion, and it carried.

#### Past Events:

##### Welcome Back Celebration

- Overall went very well
- Sit down and create a checklist, have specific responsibilities
- Write down lessons learned
- Pay kitchen from PTO internal account
- Keep food in the same location but move the bounce house and the PTO swag and prize tents

##### Home Team Deli

- No update yet
- Sophia said the owner will send us the info
- Kevin is going to follow up
- Susan will email Tammy H about the prize

#### Future Events:

- Spirit Nights
  - Chick-fil-A - September 17 - Nikki has the stickers and the flyer; won't know until a day in advance about the cow coming
    - Teachers put in Friday newsletter
    - Have the banner so people can use the QR code for swag
  - October - Brothers BBQ or Yogurt Brothers
  - November 5 - Cain's
  - December 10 - Chipotle
  - Bahama Bucks - April 15

- Brother's BBQ, Infiniti Pie, Chippers Bowling, Your Pie
  - May 6 - Chick-fil-A
- Conferences
  - Snacks on Wednesday
  - Gift cards to purchase the items
- Trunk or Treat
  - Susan will ask Coleman if they would like to do a haunted house in the north gym
  - Susan will send spreadsheet to teachers
  - Steph will make a sign-up genius for volunteers
  - Nikki and Kevin will work together for food trucks
  - Susan will email the cafeteria ladies about selling items
  - \$10 per bracelet
  - 5:00 - 7:30 pm
- Bazaar
  - Ioana will send Susan the flyer with the payment info
  - Nikki will confirm with Brian about pictures with Santa
  - Nikki will reach out to iHop for pancake mix
  - Susan will reach out to Kristen about bacon

Finance Report:

- There were no questions on the report as presented.

The meeting adjourned at 7:08 pm.

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**RESOLUTION OF  
THE ACADEMY  
NO. 2024-09-30-1**

**REMOVING AND APPOINTING BOARD MEMBERS TO THE BOARD OF THE ACADEMY OF  
CHARTER SCHOOLS BUILDING CORPORATION**

WHEREAS, The Academy, a Colorado charter public school and nonprofit corporation, pursuant to Sections 22-30.5-101, et seq., Colorado Revised Statutes, as amended (“C.R.S.”), and the terms and provisions of the Charter School Contract between the Colorado Charter School Institute and the Academy with requisite corporate power to own and operate educational and administrative facilities and to carry on its business as presently being conducted; and

WHEREAS, the Bylaws of The Academy of Charter Schools Building Corporation (the “Corporation”) grant the authority to the Board of The Academy to remove and appoint board members to and from the Board of the Corporation.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE ACADEMY AS FOLLOWS:

1. The Board of The Academy hereby removes all Board members from the Board of the Corporation, effective immediately.
2. The Board of The Academy hereby appoints the following persons to the Board of the Corporation:
  - (a) \_\_\_\_\_;
  - (b) \_\_\_\_\_; and
  - (c) \_\_\_\_\_.
3. Any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.
4. All bylaws, orders, and resolutions, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed as reviving any bylaw, order or resolution or part thereof.
5. This resolution shall be in full force and effect upon its passage and approval.

We, the undersigned, hereby certify that the preceding Resolution Number 2024-09-30-1 was duly adopted by The Academy Board of Directors on September 30, 2024, and that the roll call vote information below is correct.

**Roll Call Vote:**

<b>Board Member</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
Sarah Drewlow				
Amy McDuffee				
Autumn Coffee				
Dan Klenjoski				
Kevin Sanchez				
Larissa Fransua				
Kristen Cofrades				

THE ACADEMY

By \_\_\_\_\_  
Sarah Drewlow, Chair

Attest:

By \_\_\_\_\_  
Kristen Cofrades, Secretary

[Signature Page to Academy Resolution No. 2024-09-30-1]

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**RESOLUTION OF  
THE ACADEMY**

**NO. 2024-09-30-2**

**APPROVING PURSUIT OF FINANCING PROPOSAL**

WHEREAS, The Academy, a Colorado charter public school and nonprofit corporation, pursuant to Sections 22-30.5-101, et seq., Colorado Revised Statutes, as amended ("C.R.S."), and the terms and provisions of the Charter School Contract between the Colorado Charter School Institute and the Academy with requisite corporate power to own and operate educational and administrative facilities and to carry on its business as presently being conducted; and

WHEREAS, the Board has discussed a finance proposal from Sunflower Public Finance, LLC dated August 29, 2024 ("Proposal"), and desires to authorize pursuing the Proposal subject to final approval by the Board.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE ACADEMY AS FOLLOWS:

1. The Board has reviewed the terms of the Proposal and hereby directs The Academy's Executive Director to sign the Proposal and pursue financing based on the terms of the Proposal ("Financing"). The Board hereby authorizes the costs associated with pursuing the Financing. The final terms and final documents related to the Financing must be approved by the Board.
2. Any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.
3. All bylaws, orders, and resolutions, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed as reviving any bylaw, order or resolution or part thereof.
4. This resolution shall be in full force and effect upon its passage and approval.

We, the undersigned, hereby certify that the preceding Resolution Number 2024-09 30-2 was duly adopted by The Academy Board of Directors on September 30, 2024, and that the roll call vote information below is correct.

**Roll Call Vote:**

Board Member	Yea	Nay	Abstain	Absent
Sarah Drewlow				
Amy McDuffee				
Autumn Coffee				
Dan Klenjoski				
Kevin Sanchez				
Larissa Fransua				
Kristen Cofrades				

THE ACADEMY

By \_\_\_\_\_  
Sarah Drewlow, Chair

Attest:

By \_\_\_\_\_  
Kristen Cofrades, Secretary

[Signature Page to Academy Resolution No. 2024-09-30-2]

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## Harassment Policy

### PURPOSE

The Academy is committed to providing a working and learning environment that is free from harassment, and it is The Academy's policy that harassment in any form will not be tolerated. Management and supervisory personnel, at all levels, are responsible for taking reasonable and necessary action to prevent harassment. All members of the school community, employees, and students are required to promptly report conduct that could be in violation of this policy. The Academy does not tolerate harassment by employees, supervisors, or non-employees based on sex (with or without sexual contact), race, color, religion, national origin, age, disability, sexual orientation, or protected activity (opposition to prohibited discrimination or participation in the statutory complaint process). Sexual orientation is a person's orientation toward heterosexuality, homosexuality, bisexuality, or transgender status or perception of the individual's sexual orientation.

### PROCESS

The Academy will take measures to periodically educate and train employees regarding conduct that could constitute a violation of this policy. All management and supervisory personnel are expected to participate in such education and training and to be knowledgeable concerning the school policy. All members of the school community are required to comply with the policy and procedures outlined to address complaints.

The Academy will (1) respond to every complaint of harassment reported, (2) take action in response when harassment is discovered, (3) impose appropriate sanctions on offenders on a case-by-case basis, and (4) protect the privacy of all those involved in harassment complaints to the extent practical and appropriate under the circumstances. The above actions will apply to the extent permitted by law or where personal safety is not an issue.

Harassment is defined as unwelcome verbal, written, or physical conduct based on sex, race, color, religion, national origin, age, disability, sexual orientation, or protected activity, that has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. Harassment does not include verbal expressions or written material that is relevant and appropriately related to course subject matter or curriculum.

**Racial and color harassment** can include unwelcome, hostile, and offensive verbal, written, or physical conduct based on or directed at the characteristics of a person's race or color, such as nicknames emphasizing stereotypes, racial slurs, and negative references to racial customs.

**Religious or creed harassment** can include unwelcome, hostile, and offensive verbal, written, or physical conduct based on or directed at the characteristics of a person's religion or creed, such as comments regarding surnames, religious tradition, or religious clothing, religious slurs, or graffiti.

**National origin harassment** can include unwelcome, hostile, and offensive verbal, written, or physical conduct based on or directed at the characteristics of a person's national origin, such as comments regarding surnames, manner of speaking, customs, language, or ethnic slurs.

**Disability harassment** can include unwelcome, hostile, and offensive verbal, written, or physical conduct based on or directed at the characteristics of a person's disabling condition, such as imitate manner of speech or movement, or hostile or offensive acts, which interfere with movement of necessary equipment.

**Sexual harassment** can include unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. **Sexual orientation harassment** can include unwelcome, hostile, and offensive verbal, written, or physical conduct based on or directed at the characteristics of a person's sexual orientation, such as negative name-calling and imitating mannerisms. These situations are covered in detail through The Academy's [Title IX Policy](#).

## REPORTING

Individuals are encouraged to report harassment before it becomes severe and/or pervasive. Any individual who believes he/she may have experienced harassment, or who believes that he/she has observed harassment taking place, should report this information immediately to any one of the following Reporting Officials:

1. The Academy's Title IX Coordinator,
2. The relevant Principal or Assistant Principal,
3. The Academy's Executive Director or designee, or
4. The Academy's Human Resources department.

If an immediate supervisor is involved in the objectionable activity outlined within this policy, the report should be made to one of the other reporting officials.

## INVESTIGATION

Unless otherwise provided herein, responsibility for the investigation of both formal and informal harassment complaints shall be with the appropriate Reporting Official. Complaints will be addressed as confidentially as possible, considering the specific circumstances of the allegations, to protect the interests of both the complainant and the person accused, and to meet the school's legal obligation to prevent and stop harassment. The investigator may gather information from any sources deemed necessary in an effort to fully investigate and resolve the complaint. A "clear and convincing" standard will be used throughout all relevant investigative processes.

### *Informal Process*

Unless the complaint involves an employee's direct supervisor, the reporting individual will forward the initial report to the direct supervisor. The direct supervisor will attempt to engage in an informal resolution process and ensure the complaining party has discussed the issue with the accused. The supervisor will hear both sides before acting on a complaint. If either party is not comfortable having the conversation, then the direct supervisor will mediate the discussion with both employees. Ahead of any informal resolution processes, the supervisor will gain written consent to disclose records and engage in the process. If the complainant chooses, he/she may, at any time prior to resolution of the informal complaint, amend the informal complaint to a formal complaint. At all stages of investigations, The Academy commits to presume innocence throughout and will seek to offer remedies to both parties.

### *Formal Process*

If the initial informal process does not resolve the complaint or grievance or is related to the employee's direct supervisor, the complainant is encouraged to address the complaint or grievance formally and as soon as possible to the Executive Director or designee. The Executive Director or designee shall investigate, formulate a response, and communicate that response in writing to the employee within ten (10) school days. If applicable, the Executive Director or designee will notify the supervisor of the accused person regarding the complaint, so that the supervisor may take appropriate temporary and/or remedial actions during the investigation. Written notice will be provided to both parties ahead of any formal discussions.

Any concerns or grievance related to the Executive Director and/or Board Members shall be addressed directly to The Academy Board of Directors. The Board shall investigate, formulate a response, and communicate that response in writing to both parties within ten (10) school days. The Boards' decision shall be accomplished by the vote of simple majority and shall be final. If the grievance is about a particular Board member, that member should recuse themselves from the discussion and/or vote. If the concern or grievance is still not resolved by the Board, please contact Charter School Institute (CSI) to follow an appeal process, in accordance with CSI's grievance policy, which can be found on the CSI website. The Institute can be contacted at 303.866.3299.

Any person who is determined to have violated this policy shall be subject to action, including, but not limited to, warning, reprimand, transfer, termination, discharge, or any other remedial action, including, but not limited to, training, education, or counseling. Disciplinary or remedial measures will be designed to stop the harassment, correct its effects on the complainant, and ensure that the harassment does not recur. The remedial measures need not be those that the complainant requests or prefers as long as they are intended to be effective.

### **ANTI-RETALIATION STATEMENT**

Any retaliatory action or conduct taken by any person against a person who has sought relief under The Academy's policies is strictly prohibited and will be regarded as a violation of Board Policy. Retaliation against any person(s) who reports a crime, brings a disciplinary complaint, pursues legal action, or participates in an investigation or is a witness in any investigation or proceeding is strictly prohibited and will not be tolerated. Students or employees who retaliate will face disciplinary action.

### **AMENDMENTS TO PROCEDURES**

The Academy specifically reserves the right to modify and/or amend any or all the procedure(s) outlined herein at any time, at its discretion. In the event the school determines that circumstances warrant modification/amendment of any part of these procedures, timely notice shall be delivered, in writing, to all relevant and affected parties. The Academy has adopted procedures to promptly and fairly address concerns and complaints about harassment. Complaints may be submitted informally or formally. If a complaint implicates or involves both this policy and any other school complaint or grievance policy or procedure, the school may, at its discretion, suspend the procedures relating to other complaints or grievance policies pending completion of the harassment complaint procedures, so long as such suspension does not violate any articles of the relevant negotiated agreements.

All other Academy Board policies will remain in full force. All discrepancies between this policy and others shall be brought to the attention and resolved by the Executive Director or designee. At all times, The Academy will follow current state and federal guidelines.

The Board of Directors at The Academy approved the Harassment Policy on Monday, September 30, 2024.

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Board Chairperson

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Date

LEGAL REF: Age Discrimination in Employment Act of 1967, as amended, 29 USC. 621 et seq.  
Americans with Disabilities Act, 42 U.S.C. 1201 et seq. Colorado Revised Statutes §§ 24-34-301 .  
(definitions), 24-34-305 (powers and duties of the commission), 24-34-306 (commission complaint  
process), 24-34-402 (discriminatory or unfair employment practice) Genetic Information Non-  
Discrimination Act of 2008 Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 701 et seq.  
Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d Title VII of the Civil Rights Act of 1964, as  
amended, 42 U.S.C. 2000e Title IX of the Education Amendments of 1972, 20 U.S.C. 1681  
Uniformed Services Employment and Reemployment Rights Act of 1994

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## Grievance Policy

### PURPOSE

The Academy desires to use a formal process for settling differences both promptly and equitably at the lowest possible administrative level and that each employee or community member be assured an opportunity for orderly presentation and review of complaints without fear of reprisal. This policy was developed to ensure that employee and community grievances are addressed fairly by the appropriate persons in a timely manner. The period for all appeals by a grievant in using this process is ten (10) school days unless otherwise determined by the state or federal law.

### PROCESS

The grievant shall address concerns or grievances with an immediate supervisor or school Principal ("Supervisor"). Before a Supervisor responds to a complaint regarding the grievant, they will engage in an informal review process. The Supervisor, if appropriate, will hear both sides before acting on the complaint. If either party is not comfortable having the conversation, then the Supervisor will gain written consent to disclose records and engage in the process. At all stages of investigations, The Academy commits to presume innocence throughout and will seek to offer remedies to both parties.

If the grievant does not wish to participate in the initial informal process or the informal process does not resolve the concern or grievance, the grievant is encouraged to address the concern or grievance formally. If requested, the Supervisor shall investigate and respond to the concern or grievance in writing within ten (10) school days.

If the concern or grievance is not resolved at this state, within ten (10) school days, the concern or grievance may be addressed to the Executive Director or designee. The Executive Director or designee shall investigate, formulate a response, and communicate that response in writing to the employee or community member within ten (10) school days. Written notice will be provided to both parties ahead of any formal discussions.

Any concerns or grievance not resolved at this level or related to the Executive Director and Board Members shall be addressed directly to The Academy Board of Directors. The Board shall investigate, formulate a response, and communicate that response in writing to both parties within ten (10) school days. The Boards' decision shall be accomplished by the vote of simply majority and shall be final. If the grievance is about a particular Board member, that member should recuse him/herself from the discussion and/or vote.

The concerns or grievance against the Executive Director or designee shall be addressed directly The Academy Board of Directors. A decision by the Executive Director can be appealed to the Board of Directors. Current contact information for the Board can be found on the school's website, under the Board of Directors tab. The Board shall investigate, formulate a response, and communicate that

response to the employee within ten (10) school days. The Boards' decision shall be accomplished by vote of simple majority. If the concern or grievance is still not resolved by the Board, please elevate it to the Charter School Institute (CSI). In accordance with CSI's grievance policy which can be found on their website (<https://www.csi.state.co.us/parents/grievances>). The Institute can be contacted a legalandpolicv [csi@csi.state.co.us](mailto:csi@csi.state.co.us)

All participants during each state of resolution and during the investigation shall remain impartial and remain free from all conflicts of interest.

## **ANTI-RETALIATION**

Any retaliatory action or conduct taken by any person against a person who has sought relief under this policy is strictly prohibited and will be regarded as a violation of Board Policy. Retaliation against any person(s) who reports a crime, brings a disciplinary complaint, pursues legal action, participates in an investigation, or is a witness in any investigation or proceeding is strictly prohibited and will not be tolerated. Students or employees who retaliate will face disciplinary action.

All other Academy Board policies will remain in full force. All discrepancies between this policy and others shall be brought to the attention and resolved by the Executive Director or designee. At all times, The Academy will follow current state and federal guidelines.

Policy History. This policy supersedes any previously existing policy of The Academy of Charter Schools pertaining to the content herein.

The Board of Directors at The Academy approved the Grievance Policy on Monday, September 30, 2024.

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Board Chairperson

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Date

### References

C.R.S. 22-30.5-505(3)(a)

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## Student Complaints Policy

### PURPOSE

It is the policy of the Academy Board to honor a student's right of inquiry and to express matters of concern. Students shall be encouraged to settle their grievances at the lowest possible administrative level.

Complaints of discrimination or harassment of a student may be based upon the student's race, color, religion, national origin, ancestry, sex, sexual orientation, or disability and should be processed through the relevant policy. Sexual orientation is a person's orientation toward heterosexuality, homosexuality, bisexuality, or transgender status or perception of the individual's sexual orientation.

### PROCESS

When a student feels that they have experienced unfair treatment from school staff members, or another student, or needs further information to determine whether an injustice has been committed, the student may submit a request for an inquiry into the matter of concern. The request shall be submitted in writing to the teacher or counselor with most direct responsibility for the individual student's instruction or performance in the matters at issue. The request shall state the injustice or unfairness experienced by the student with a clear description of the events that occurred, including dates, locations, and the persons who were involved.

The responsible staff member shall have ten (10) school days to conduct the necessary inquiry and respond to the matters of concern. If the student has reason to believe that all appropriate information has not been considered or that a fair resolution to the grievance has not been achieved, an appeal explaining its rationale may be made in writing within ten (10) school days following the decision. Staff members responding to appeals must issue a response, in writing, within ten (10) school days following receipt of the appeal.

In most cases, the potential adverse party (teacher or administrator) will not need to be present with the student. Rather, all versions of events shall be obtained separately at each level.

The respective levels of review are as follows:

- Level 1 - School teacher, counselor, or activity sponsor
- Level 2 - School Principal or Assistant Principal/Dean of Students
- Level 3 – Executive Director or designee (If the complaint concerns allegations of discriminatory treatment based upon handicap/disability, the request for review should be submitted to the Section 504 Coordinator. If the complaint concerns allegations of discriminatory treatment or exclusion from participation based on gender, the request for review should be submitted to the Title IX Coordinator.)

All other Academy Board policies will remain in full force. All discrepancies between this policy and others shall be brought to the attention and resolved by the Executive Director, or designee. At all times, The Academy will follow current state and federal guidelines.

The Board of Directors at The Academy approved the Student Complaints Policy on Monday, September 30, 2024.

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Board Chairperson

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Date

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## Nondiscrimination & Equal Opportunity Policy

### **PURPOSE**

The Academy is committed to providing a safe learning and work environment where all members of the school community are treated with dignity and respect. It is critical to this commitment that anyone who may have experienced discrimination or harassment in the context of the school's educational programs, activities, or employment can report their concerns without fear of retaliation.

This policy is designed to foster a climate that provides preventative measures and encourages the reporting of discrimination and harassment and related retaliation. School administrators will engage in prevention efforts, train the school community, respond to all complaints promptly, provide supportive measures, and develop fair and equitable processes to investigate and address complaints of discrimination and harassment, and related retaliation, and ensure all parties are treated fairly and impartially.

This policy defines prohibited conduct and guides individuals to the specific policy governing the applicable reporting and response processes. Complaints of harassment or discrimination against a student and complaints of bullying against a student based on membership in a protected class should be made pursuant to the school's [Harassment and Bullying Prevention Policies](#). Complaints related to sex-based harassment should be made under the school's [Title IX Policy](#). Supportive measures and prompt response times are required components of all policies.

### **DEFINITIONS**

- **"Bullying"** is any written or oral expression, physical or electronic act or gesture, or a pattern thereof, that is intended to coerce, intimidate, or cause any physical, mental or emotional harm to another. Bullying is student-on-student behavior. The school's [Bullying Prevention Policy](#) has more details on the definition of bullying, the prevention process, and the reporting process. If the bullying is based on a student's protected class, the behavior may constitute discrimination or harassment. Bullying based on a student's protected class should be addressed through the school's Bullying Prevention Policy.
- **"Protected classes"** include race, color, gender, sex, sexual orientation, gender identity or expression, transgender status, religion, national origin, immigration/citizenship status, ancestry, age, pregnancy, marital status, veteran status, disability, family composition and genetic information of an employee or applicant for employment.  
For purposes of this policy and the implementing regulations:
  - **"Race"** includes hair texture, hair type, hair length, or a protective hairstyle, such as braids, locs, twists, tight coils or curls, cornrows, Bantu knots, afros, and headwraps, that is commonly or historically associated with race.
  - **"Sexual Orientation"** means an individual's identity (or another person's perception of their identity), in relation to the gender(s) to which the individual is sexually or

emotionally attracted and the behavior or social affiliation that may result from the attraction.

- **“Gender Expression”** means an individual’s way of reflecting and expressing gender to the outside world, typically demonstrated through appearance, dress, and behavior.
- **“Gender identity”** means an individual’s innate sense of the individual’s own gender, which may or may not correspond with the individual’s sex assigned at birth.
- **“Harassment”** is any unwelcome, physical or verbal conduct or any written, graphic, or visual communication directed at a student, employee, applicant, or member of the public based on their protected class that is objectively offensive to a reasonable individual who is a member of the same protected class, that also:
  - for a student, is either made a term or condition of access to educational services, is used or threatened to be used as a basis for educational decisions affecting the student, interferes with a student’s ability to participate in the school’s educational services, or creates an intimidating, hostile, or offensive educational environment;
  - for an applicant or an employee, is subjectively offensive to the individual alleging harassment, is made a term or condition of employment, is used as a basis for employment decisions affecting the individual, unreasonably interferes with the individual’s work performance, or creates an intimidating, hostile, or offensive working environment;
  - for a member of the community, is subjectively offensive to the individual alleging harassment, and unreasonably interferes with a community member’s ability to participate in the school’s services, activities, or opportunities.

Whether conduct constitutes harassment depends on several factors, including, but not limited to:

- the type, frequency, and duration of the conduct;
- the number of individuals involved and their relationships;
- the age and education level of individuals involved;
- the location and context in which the conduct occurred;
- whether the conduct is threatening or any real or perceived power differential exists;
- any use of stereotypes, epithets, slurs, or degrading conduct or communication;
- whether the conduct includes an act of physical violence;
- the effect on the complainant’s education or employment, if applicable.
- **“Discrimination”** occurs when a student or community member is denied or limited in the ability to participate in or benefit from the school’s services, activities, or opportunities on the basis of their protected class. Discrimination also occurs when the school fails or refuses to hire an employee, discharges an employee, or otherwise treats an employee differently with respect to compensation, terms, conditions, privileges, opportunities, or status on the basis of their protected class. Harassment of a student, employee, or community member is a form of discrimination.
- **“Retaliation”** is intimidating, threatening, coercing, or discriminating against an individual who has reported an incident of harassment, discrimination, or bullying. Retaliation includes charges against a student for code of conduct violations related to the incident for the purpose of punishing a student for making a report or otherwise interfering with a student’s rights under this policy.
- **“Sex-based Harassment”** under Title IX is conduct on the basis of sex that could include unwelcome sexual advances, requests for sexual favors, or other unwelcome physical or verbal conduct or communication of a sexual nature. Because Title IX’s definition of sex-based harassment is a federal standard, the definitions and procedures differ slightly from sex-based

harassment under state law. More information on sex-based harassment can be found in the [Title IX Policy](#).

- **“Respondent”** means a student or employee who has been reported to have engaged in conduct that could constitute harassment.
- **“Complainant”** means a student, employee, or community member alleged to have experienced discrimination or harassment. A complainant may or may not be the reporting party.
- **“Reporting Party”** means a person who raises a concern or allegation of discrimination or harassment on behalf of a complainant with the compliance officer. Any school student, employee, or community member may be a reporting party.
- **“Compliance Officer”** means the school employee who is responsible for coordinating and overseeing the school’s discrimination and harassment prevention and response efforts. Among other responsibilities, the compliance officer will coordinate and oversee the school’s discrimination and harassment investigation, consultation, recordkeeping, monitoring, and training processes. To facilitate this work, all school employees must inform the compliance officer of all reports and complaints raising discrimination and harassment issues implicating this policy. The compliance officer may appoint a designee to perform any of their assigned duties, including performing the investigation and issuing the report.
- **“Supportive Measures”** are individualized services to restore or preserve equal access to education, protect student and employee safety, or deter harassment and discrimination. Supportive measures may be provided regardless of whether a complaint has been filed. Supportive measures may include, but are not limited to:
  - Counseling;
  - extensions of deadlines or other course-related adjustments;
  - extra time for homework or tests;
  - the opportunity to resubmit homework or retake a test;
  - remedying an impacted grade;
  - excused absences;
  - the opportunity for home instruction;
  - modifications to class schedules; and
  - restrictions on contact between the parties to a complaint of harassment or discrimination.
- **“Title IX Coordinator”** means the employee designated by the school to coordinate its efforts to comply with Title IX of the Education Amendments and the school’s Title IX program.
  - Name and contact information for The Academy’s Title IX Coordinator is available on the [school website](#).

## **HARASSMENT, DISCRIMINATION, & RETALIATION PROHIBITED**

Discrimination, harassment, and bullying on the basis of protected class are prohibited at any school or school-sanctioned activity or event, on any school property (or off school property when such conduct has a connection to the school), or any school curricular or non-curricular activity or event. Retaliation for reporting harassment or for participating in any way in an investigation of harassment or discrimination is also prohibited.

## **USE OF A STUDENT'S CHOSEN NAME**

Harassment or discrimination includes the knowing or intentional use of a name other than a student's chosen name, or the refusal to use a student's chosen name. The school will honor request to use a chosen name (or a preferred first name such as a nickname) through a request form available via the Counseling Office.

## **SCHOOL ACTION**

The school encourages anyone - students, parents and family members, volunteers, educators, or staff members - who witness bullying, harassment, discrimination, or retaliation to report the conduct by making a complaint in accordance with the appropriate Board policy. All school staff who witness or receive complaints of harassment or discrimination are required to promptly share any such complaints with the compliance officer.

The school will take appropriate action to promptly and impartially investigate allegations of discrimination and harassment, to end unlawful behavior, to prevent the recurrence of such behavior, and to prevent retaliation against the individual who files the complaint and/or any person who participates in the investigation. When appropriate, the school will take additional action during the investigation to protect against further discrimination, harassment, or retaliation.

To the extent possible, all complaints of discrimination and harassment will be kept confidential. Students or employees who knowingly file false complaints or give false statements in an investigation may be subject to discipline, up to and including suspension/expulsion for students and termination of employment for employees. No student, employee, or member of the public may be subject to adverse treatment in retaliation for any good faith complaint of harassment or discrimination under this policy. Upon determining that incidents of discrimination or harassment are occurring in particular school settings or activities, the school will implement measures designed to stop the discrimination or harassment and otherwise remedy the problem in those areas or activities.

Any student or employee who engages in discrimination or harassment will be disciplined according to applicable Board policies and the school will take reasonable action to restore lost educational or employment opportunities to the complainant(s) and others impacted.

The compliance officer will refer any potential criminal charges to law enforcement.

## **NOTICE & TRAINING**

The school will issue a written notice that advises students, parents, employees, and the general public that the educational programs, activities, and employment opportunities offered by the school are offered without regard to disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, family composition, marital status, national origin, religion, ancestry, or need for special education services. With respect to employment practices, the written notice will prohibit discrimination on the basis of age, genetic information, and conditions related to pregnancy or childbirth.

The announcement will also include the name, address, email address, and telephone number of the person(s) designated to coordinate Title IX, Section 504, and ADA compliance activities. Where possible,



the notice will be disseminated to persons with limited English language skills in the person's own language. It will also be made accessible to persons who are visually or hearing impaired.

This policy and the corresponding Board policies, which include the grievance process, must be prominently posted on the school's website in plain language, and made available to all students, parents, and staff through electronic or hard-copy distribution.

Students and school employees will receive periodic training related to recognizing, reporting and preventing discrimination and harassment. School employees must receive additional training related to handling reports of discrimination and harassment.

The training will comply with Colorado state law and will include, but not be limited to, instruction on the following:

- Recognizing harassment or discrimination, including indicators of grooming and child sexual abuse;
- The appropriate immediate response when harassment or discrimination is reported to or witnessed by an employee; and
- Reporting harassment or discrimination to the school.

The Board of Directors at The Academy approved the Non-Discrimination Policy on Monday, September 30, 2024.

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Board Chairperson

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Date

#### **LEGAL REFS.:**

20 U.S.C. 1681 (*Title VII, Education Amendments of 1972*)  
20 U.S.C. 1701-1758 (*Equal Employment Opportunity Act of 1972*)  
29 U.S.C. 621 *et seq.* (*Age Discrimination in Employment Act of 1967*)  
29 U.S.C. 701 *et seq.* (*Section 504 of the Rehabilitation Act of 1973*)  
42 U.S.C. 12101 *et seq.* (*Title II of the Americans with Disabilities Act*)  
42 U.S.C. 2000d (*Title VI of the Civil Rights Act of 1964, as amended in 1972*)  
42 U.S.C. 2000e (*Title VII of the Civil Rights Act of 1964*)  
42 U.S.C. 2000ff *et seq.* (*Genetic Information Nondiscrimination Act of 2008*)  
34 C.F.R. Part 100 through Part 110 (*civil rights regulations*)  
C.R.S. [2-4-401](#) (3.4) (*definition of gender expression*)  
C.R.S. [2-4-401](#) (3.5) (*definition of gender identity*)  
C.R.S. [2-4-401](#) (13.5) (*definition of sexual orientation*)  
C.R.S. [18-9-121](#) (*bias-motivated crimes*)  
C.R.S. [22-1-143](#) (*definition of harassment or discrimination*)  
C.R.S. 22-1-145 (*use of a student's chosen name*)

C.R.S. [22-32-109](#) (1)(II) *(Board duty to adopt written policies prohibiting discrimination)*  
C.R.S. [22-32-110](#) (1)(k) *(definition of racial or ethnic background includes hair texture, definition of protective hairstyle)*  
C.R.S. [24-34-301](#) et seq. *(Colorado Civil Rights Division)*  
C.R.S. [24-34-301](#) (3.3) *(definition of gender expression)*  
C.R.S. [24-34-301](#) (3.5) *(definition of gender identity)*  
C.R.S. [24-34-301](#) (7) *(definition of sexual orientation)*  
C.R.S. [24-34-402](#) et seq. *(discriminatory or unfair employment practices)*  
C.R.S. [24-34-402](#)(1.3)(a) *(definition of “harass” or “harassment”)*  
C.R.S. [24-34-402.3](#) *(discrimination based on pregnancy, childbirth or related conditions; notice of right to be free from such discrimination must be posted “in a conspicuous place” accessible to employees)*  
C.R.S. [24-34-601](#) *(unlawful discrimination in places of public accommodation)*  
C.R.S. [24-34-602](#) *(penalty and civil liability for unlawful discrimination)*

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## Name Changes Policy

### **PURPOSE**

This policy outlines the process by which students may change the name they are referred to at school to align with their gender identity. Students may choose to be identified in school by the first name that they have designated in accordance with this policy, and may request a change to their name or gender on their official student record through the school's process for amending student education records.

### **DEFINITIONS**

- **"Chosen Name"** as defined in Colorado law, is any name a student requests to be known as that differs from the student's legal name, to reflect the student's gender identity.
- **"Legal Name"** is an individual's legal name as it appears on official government documents such as licenses, passports, and birth certificate.

### **USE OF A CHOSEN NAME OR PREFERRED FIRST NAME**

The Board directs the Executive Director to establish procedures allowing students to inform the school of their chosen name (or a preferred first name such as a nickname) without altering their official name in school records. Students will not be required to provide proof of a legal name change to select a chosen or preferred name for use at school and during extracurricular activities, and do not need parental approval. However, parents may be notified of their student's name change if appropriate.

School staff must strive to use the chosen or preferred name of all students. The school understands that honest mistakes may occur, but the intentional or knowing refusal to use a student's chosen name (for example, intentionally referring to the student by their legal name, another name that does not correspond to the student's gender identity or avoiding use of their name) is prohibited under this policy and under Colorado law.

The school reserves the right to deny a preferred first name if it is vulgar or offensive, obscene, or is used for misrepresentation.

### **NAME CHANGES ON OFFICIAL STUDENT RECORDS**

The school is required to maintain a permanent student record ("official record") that includes a student's name and gender. Students or parents who wish to alter the student's name or gender must follow the school's process for amending student records. The school will not process a name change on a student's official record without a parent signature or a court order.

Students who request a name change that is different from their legal first name agree that the designated name is, or will be, truly used to identify themselves. A name change cannot be used for any illegal purpose.

## DISCLOSURE TO THIRD PARTIES

Information about a transgender student's gender identity, legal name, or sex assigned at birth may constitute confidential personally identifiable information. Disclosing transgender status to students, staff, or third parties may violate privacy laws, such as the federal Family Educational Rights and Privacy Act (FERPA). Accordingly, the school will work with students and their families to keep personally identifiable information related to gender identity confidential in accordance with state and federal privacy laws.

In situations where school staff or administrators are required by law to use or to report the legal name or biological sex of a student who is transgender but whose official record has not been amended, school staff and administrators must adopt practices to avoid the inadvertent disclosure of such confidential information.

The Board of Directors at The Academy approved the Name Change Policy on Monday, September 30, 2024.

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Board Chairperson

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Date

### LEGAL REFS.:

34 C.F.R. §99.1 *et seq.* (Family Educational Rights and Privacy Act regulations)

34 C.F.R. §99.20(d) (parents and students have the right to request a school change name and gender marker on their record if they feel it is incorrect, misleading, or violates privacy, and schools must provide parents with an opportunity to inspect and review educational records)

34 C.F.R. §99.31 (permitted reasons for disclosure of student records)

3 C.C.R. 708-1:81.6(A)(4) (sexual orientation harassment is deliberately misusing an individual's preferred name, form of address, or gender-related pronouns)

C.R.S. [22-1-145](#) (knowing or intentional failure to use a chosen name is discriminatory, and schools required to use a student's chosen name and adopt a policy on the subject)

C.R.S. [22-1-145](#)(b) (gender identity means an individual's innate sense of the individual's own gender, which may or may not correspond with the individual's sex assigned at birth).

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