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# Board Cover Memorandum

**To** Board of Education

**From** Kyla Johnson-Trammell, Superintendent  
Jenine Lindsey, Interim General Counsel  
Kelly Krag-Arnold, Director, Office of Charter Schools

**Meeting Date** December 7, 2023

**Subject** American Indian Public Charter School II (AIPCS II) Corrective Action Plan Update and Discussion

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**Ask of the Board** Review and discuss the Corrective Action Plan submitted by AIPCS II

**Background** On September 27, 2023, the OUSD Board of Education adopted Resolution No. 2324-0063 Report and Notice Regarding American Indian Public Charter School II Pursuant to Education Code Section 47607(e). The Investigation Report and Notice, issued as an attachment to Resolution No. 2324-0063, concluded that there is strong evidence to support the following findings:

- AIPCS II is demonstrably unlikely to successfully implement the program set forth in the petition due to substantial governance factors, and
- AIPCS II is not serving all pupils who wish to attend.

The notice additionally provides AIPCS II an opportunity to cure or remedy the violations set forth by the notice. Therefore, pursuant to the directives in the notice and to Education Code Section 47607(e), AIPCS II exercised its option to develop a corrective action plan ("CAP") which was submitted to OUSD on November 15, 2023. OUSD will determine whether AIPCS II has cured the violations and will include this information as part of the report and analysis of AIPCS II should the Charter School seek a renewal of its petition in Fall 2024. In the notice, OUSD provided a list of non-exhaustive considerations for the District's evaluation of whether the violations have been cured/remedied. The notice also provides a suggested timeline for AIPCS II to provide quarterly updates to OUSD on the implementation of the CAP.

**Discussion** The OUSD Charter Committee members have the opportunity to review the AIPCS II CAP, attached to this Memo, and to provide guidance to the OUSD Office of Charter Schools on next steps for reviewing the CAP's implementation.

**Fiscal Impact** None

**Attachment(s)**

- Presentation
- AIPCS II CAP

# American Indian Public Charter School II Corrective Action Plan Update #1

*OUSD Office of Charter Schools  
Charter Matters Committee  
December 7, 2023*



**OAKLAND UNIFIED  
SCHOOL DISTRICT**

*Community Schools, Thriving Students*

# Goals for Today

- OUSD Charter Committee members will review and discuss the Corrective Action Plan (CAP) developed by American Indian Public Charter School II (AIPCS II).
- OUSD Charter Committee members will provide Office of Charter School (OCS) staff guidance on next steps for reviewing progress of AIPCS II's Corrective Action Plan.

# Education Code § 47607(e): Notice

On September 27, 2023, the OUSD Board of Education adopted Resolution No. 2324-0063, providing AIPCS II notice, per Education Code §47607(e), and a reasonable opportunity to cure the following findings:

- 1 AIPCS II is demonstrably unlikely to successfully implement the program set forth in the petition due to substantial governance factors.
- 2 AIPCS II is not serving all pupils who wish to attend

*For a full copy of the Notice, please consult the Board Agenda from the September 27th Board Meeting at OUSD Legistar (File number 23-0100).*

# 1 Governance Concerns

Evidence that supported Finding 1 included, but was not limited to, the following:

- Alleged violations of employment law and other concerns regarding pay, compensation, lunch breaks, prep time, etc.
- The dissolution of the AIMS Human Resources department
- Non-compliant Uniform Complaint Procedures and no formal record keeping system to document formal or informal complaints
- Allegations of retaliation
- Allegations of a pervasively hostile work environment
- Inadequate and non-compliant safety procedures
- High teacher turnover rates, excessive vacancies, teacher credentialing concerns

*For a full copy of the Notice, please consult the Board Agenda from the September 27th Board Meeting at OUSD Legistar (File number 23-0100).*



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## Not serving all student who wish to attend

Evidence that supported Finding 2 included, but was not limited to, the following:

- Significantly low enrollment rates of students with disabilities
- Failures of Child Find and other IDEA provisions
- Allegations of disenrollment of students with disabilities or students with behavioral concerns
- Allegations of targeted recruiting outside of the typical Oakland Enrolls timeline

*For a full copy of the Notice, please consult the Board Agenda from the September 27th Board Meeting at OUSD Legistar.*

# Education Code § 47607(e): Opportunity to Remedy

Although only 30 days is required, OUSD is giving AIPCS II a full year to remedy the outlined concerns prior to their anticipated request for renewal in Fall 2024, at which point the OUSD Board will decide whether AIPCS II has fully remedied all concerns. The timeline recommended in the notice is as follows:

Deadline	Step	Status
October 15, 2023	AIPCS II Board to receive Notice, acknowledge need for improvement, state intentions to remedy concerns, and make clear no retaliation against named employees will occur.	Complete
November 15, 2023	AIPCS II Board shall provide OUSD with a Corrective Action Plan (“CAP”)	Complete
November 16, 2023	AIPCS II shall begin implementation of the CAP	Complete
February 1, 2024	AIPCS II shall provide OUSD with a written update on the CAP through 12/31/23	TBD
May 1, 2024	AIPCS II shall provide OUSD with a written update on the CAP through 3/31/24	TBD
August 1, 2024	AIPCS II shall provide OUSD with a written update on the CAP through 6/30/24	TBD
After August 1, 2024	AIPCS II shall, at its discretion, provide OUSD with any additional written updates on the CAP	TBD



# Charter Committee Review of AIPCS II's Corrective Action Plan

The AIPCS II Board President and Superintendent submitted the CAP to OUSD on November 15, 2023. It is included in full as Appendix I. Please use the following as guiding questions for your review:

- 1 What is your general reaction to the CAP? What positive action steps do you see included?
- 2 Do you have any questions regarding the contents of the CAP or next steps, either for OCS or AIPCS II leadership?
- 3 How can OCS facilitate the Board's understanding of whether the CAP's implementation was successful in resolving concerns?
- 4 Is there any information not included in the CAP that you would like OCS to provide in order to assess AIPCS II's progress?
- 5 How would you like OCS staff to move forward in providing updates to Charter Committee and/or the full Board?



## AIMS K-12 College Prep Charter District

**AIMS College Prep Elementary (K-8)**  
*AIPCS II*  
171 12th St | Oakland | CA 94607  
*E* elementary@aimsk12.org  
*T* 510-893-8701  
*F* 510-893-0345

**AIMS College Prep Middle School (6-8)**  
*Formerly known as AIPCS*  
171 12th St | Oakland | CA 94607  
*E* middleschool@aimsk12.org  
*T* 510-893-8701  
*F* 510-893-0345

**AIMS College Prep High School (9-12)**  
*Formerly known as AIPHS*  
746 Grand Ave | Oakland | CA 94610  
*E* highschool@aimsk12.org  
*T* 510-220-5044  
*F* 510-519-5549

www.AIMSK12.org

November 14, 2023

Via Email  
kelly.kragarnold@ousd.org

Kelly Krag-Arnold, Director  
Office of Charter Schools  
Oakland Unified School District  
1011 Union Street  
Oakland, CA 94607

### **RE: AIPCS II / AIMS Corrective Action Plan - Response to OUSD Report and Notice Dated September 27, 2023**

Dear Director Krag-Arnold:

American Indian Model Schools (“AIMS”) is in receipt of a Report and Notice Regarding American Indian Public Charter School II Pursuant to Education Code Section 47607(e) (“Notice”) from Oakland Unified School District (“OUSD” or the “District”), dated September 27, 2023. The Notice purports to be a notice of substantial governance factors and not serving all students who wish to attend American Indian Public Charter School II (“AIPCS II” or the “Charter School”), consistent with Education Code Section<sup>1</sup> 47607(d). AIMS writes in response<sup>2</sup> to the Notice, specifically to provide its corrective action plan (“CAP”) by the District-mandated deadline.

The AIMS CAP is a thorough, meticulous, and comprehensive response to the allegations in OUSD’s Notice. AIMS is a learning organization, one that operates transparently, and we welcome the opportunity to improve practices before seeking renewal of the AIPCS II

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<sup>1</sup> All statutory citations herein are to the Education Code, unless otherwise indicated.

<sup>2</sup> For purposes of its response, in many instances, AIMS has extrapolated the District’s concern to be network-wide, i.e., also alleged against AIMS College Prep Middle School and AIMS High School, and has responded accordingly.

charter during the next fiscal year. We are proud to have gathered an accomplished CAP team, which is committed to working in partnership with the AIMS Board to resolve any remaining concerns.

## **AIPCS II is a High-Performing Charter School**

Prior to the COVID-19 pandemic, AIPCS II was designated as “high-performing” by the California Department of Education, relative to its charter renewal tier. AIPCS II earned this distinction because its historically underperforming student subgroups outperformed the same subgroups at the state level. AIMS has a remarkable track record of success, which spans over 27 years, during which we continue to secure admission for 100% of seniors into college, including all students with individualized education programs (“IEP”). These awards and successes alone demonstrate our capacity as a strong and sustainable organization.

- 2021: California Honor School
- 2022: California Pivotal Practice Award
- 2023: Distinguished School Award
- 2023: GapBuster School

Our commitment to serving students has always been paramount and, as a matter of law, remains untarnished. The CAP documents steps AIMS will take to cure or remedy the alleged violations specifically set forth on pages 28 and 29 in the District’s Notice.

## **Allegations of Substantial Governance Factors**

AIMS Board of Directors and leadership are dedicated to developing the leadership skills, qualities, strategies and techniques to become a high-functioning team and advocate for all students. As part of this effort, members are attending educational opportunities and increasing the awareness of and compliance with a variety of governance factors which are discussed in the table below and the following reports which will be submitted to OUSD.

## **Allegations of Not Serving All Students Who Wish to Attend**

AIMS encourages decision making through an equity lens to effectively respond to the diverse needs of students so that all students have access to a broad, rigorous and equitable course of study.

Several details of our corrective action plan are still developing. We intend to update or substantially change these plans based on our initial findings from first evidence-based progress monitoring. AIMS CAP is consolidated into the following table which may be followed by specific reports organized by topic.

OUSD Considerations	AIMS Corrective Action	Start Date and Person(s) Responsible	Evidence-based Progress Monitoring* (Feb. 1, 2024)	Evidence-based Progress Monitoring** (May. 1, 2024)	Evidence-based Progress Monitoring*** (Aug. 1, 2024)
1) AIPCS II Governing Board formally acknowledges these violations	Acknowledge concern, violation and commit to corrective action. Board members shall identify resources for school board members, including consultants, conferences, and/or contracting with organizations specializing in training for school board members, to assist in conducting a comprehensive review and revisions, as appropriate, of processes, procedures, and protocols to strengthen governance oversight and practices.	10/15/2023  Governing Board oversight ongoing			
2) AIPCS II Governing Board adopts a Comprehensive School Safety Plan and whether that School Safety Plan incorporates meaningful community input from first responders, staff, and family members	Assigned to Director of Health & School Support Services Director of Schools to establish a dedicated Safety and Preparedness Team, including the AIMS Facilities Coordinator (Team Leader), Director of Schools, school site administrators, teachers, family members, first responders, and student representatives selected from student government leaders to develop comprehensive school safety plans for each school. All plans will be approved by the AIPCS II Governing Board and shall include staff training, monthly drills, off-site evacuation, and internal and external communication protocols. AIPCS II shall work closely with local authorities to conduct periodic safety inspections and to ensure that they have ready access to all updated plans in a timely manner.	11/16/23  Supt.  Ombudsman  Governing Board Oversight Shall be monthly until completed. Quarterly thereafter			
3) AIPCS II leadership responds to,	The AIPCS II UCP Process, forms and	11/16/2023			

<p>tracks, and reports complaints to the AIPCS II Governing Board and to OUSD</p>	<p>reporting shall be overhauled and all staff retrained. UCP information will be posted on the main website, at all school sites, and at AIPCS II main office. AIPCS II will adopt a district-wide systems approach that includes tracking, time/date stamp, automated push notification, clear investigation steps, identifying the person(s) responsible, etc. UCP shall also include a communication plan for responding and following through with the complainant, reporting to AIPCS II Governing Board, and to OUSD in a timely manner. All staff shall participate in mandated training yearly that addresses state and federal laws and regulations governing UCP, including unlawful discriminatory harassment and intimidation, reporting guidelines, process, standards for reaching decisions, and appropriate corrective measures.</p>	<p>Supt. Ombudsman Governing Board oversight shall be monthly until new systems, procedures and processes are completed. Three times per year thereafter</p>			
<p>4) AIPCS II Governing Board monitors complaints</p>	<p>AIPCS II Governing Board shall identify monitoring complaints as a goal area for the Superintendent. Information regarding new complaints (including type) and complaint resolution shall be reported to the Board by the Superintendent monthly.</p>	<p>09/27/2023 Governing Board monitoring and oversight - monthly</p>			
<p>5) Type and volume of complaints regarding AIPCS II</p>	<p>AIPCS II Governing Board shall identify monitoring complaints as a goal area for the Superintendent. Superintendent, or designee, shall utilize a digital system to track type and volume. AIPCS II shall communicate with OUSD regarding the timeline for resolution and corrective actions for any/all complaints submitted directly to them and reported to AIPCS II. Cumulative Information (year-to-date)</p>	<p>11/16/23 Governing Board monitoring and oversight - quarterly</p>			

	regarding type and volume of complaints, complaint resolution vs. open complaints, and corrective actions shall be reported to the Board by the Superintendent at least quarterly.				
6) AIPCS II leadership implements its latest HR system and how the AIPCS II Governing Board monitors this implementation	Provide a demonstration of the HR system and its capabilities with the vendor and the AIPCS II Governing Board and OUSD personnel to promote a deeper understanding of the systems capabilities, and/or limitations, as well as providing an opportunity to clarify any questions and inspect processes and controls. The demonstration shall also clarify the role and responsibilities of AIPCS II to ensure that implementation and utilization of the system is seamless and meets all state and federal employment and labor laws. AIPCS II Governing Board shall also explore the need to hire/designate a staff member to serve as the HR Specialist to respond to any questions, support staff, and represent AIPCS II in matters related to HR, i.e., fair labor practices, equitable hiring practices and compliant interview questions and process, employee wages, employee benefits, monitoring credentialing, and confidentiality and protection of employee information, etc.	January 2024 Supt. Ombudsman Governing Board monitoring and oversight - quarterly			
6) AIPCS II Governing Board examines the need for a change in AIPCS II leadership	AIPCS II Governing Board shall conduct an annual superintendent evaluation, with a mid-year progress report to identify and communicate any areas of concern where additional resources or support may be needed or if performance is not meeting Board expectations, per contract. New goals will be established that align with current priorities and actions identified in	January 2024 Governing Board monitoring - ongoing			

	<p>the CAP, with a continued emphasis on prioritizing exemplary student experiences and academic outcomes. The Governing Board shall assign an executive coach, management support, or leadership training at their discretion.</p>				
<p>7) Credentialing information and vacancies for every class at AIPCS II for the 2023-24 school year</p>	<p>AIPCS II Governing Board shall be provided a comprehensive staff report that identifies the number of positions occupied by fully credentialed staff, open positions, misassignments, provisional internship permits (PIPs), short-term staff permits (STSPs), waivers, and vacancies. This information shall be tracked and reported to the governing board monthly and shall include information on how any misassignments and vacancies are being addressed, as well as teacher recruitment and retention efforts. AIPCS II will verify and adhere to current regulations, policy and procedures for reporting credentialing information in a timely manner to meet state compliance requirements.</p>	<p>October 2023  Supt.  Ombudsman  Governing Board monitoring - monthly</p>			
<p>8) The results of a nationally recognized Culture and Climate survey distributed to all staff and a memo outlining AIPCS II's takeaways and action steps moving forward</p>	<p>AIPCS II shall identify and utilize reliable culture and climate survey tools for staff, students, and family to measure and provide input on school culture and climate perceptions for each group. The data will be disaggregated for each school and will provide valuable feedback to inform improvement efforts. The survey results shall be reported to the AIPCS II governing board and executive leadership shall identify targeted actions and steps to promote improvement. AIPCS Governing Board members may also utilize survey information to conduct strategic listening forums to gather additional information</p>	<p>January 2023  Supt.  Ombudsman  Governing Board monitoring - Three times per year</p>			

	regarding resources and support that may be valuable.				
9) AIPCS II leadership develops and implements a meaningful plan to serve all students who wish to attend, particularly students with disabilities	Increase advertising and marketing to lower income or otherwise historically underserved student populations and/or communities. Utilize a lottery system to ensure equitable access and support to all students that wish to attend. Incorporate language and visuals in all marketing materials and information on the website that reflects a diverse population of students and provides detailed information on specific supports and services that may need to be provided to satisfy IEP goals, or other specialized services for student success. Clearly communicate and train all staff, especially those in charge of student enrollment and registration, on regulations and expectations when providing registration information, additionally, make sure that they are fully aware that support and services are available for students with disabilities.	January 2024 Supt. Ombudsman Governing Board monitoring monthly during open enrollment and registration			
10) AIPCS II is complying with the requirements of IDEA, including its Child Find obligations, and is appropriately serving all students with disabilities according to their IEPs. The means by which AIPCS II is attempting to achieve a balance of special education pupils that is reflective of the general population residing in the area, pursuant to Education Code 47605.6 (b)(5)(iii)(H).	AIPCS II Governing Board and Executive Leadership desire to support and serve all students. With that said, we recognize that Child Find for IDEA requires public agencies to implement policies and procedures ensuring that all children with disabilities, who need special education and related services are identified, located, and evaluated, regardless of the severity of the disability. AIPCS II shall evaluate current policies, practices, procedures and data as it pertains to our Child Find protocols and serving students with disabilities in general, and ensure that we have a clear process in place and that it is	11/16/23 Supt. Ombudsman Governing Board monitoring - monthly			



	<p>being implemented appropriately. We shall consult with El Dorado SELPA and other reliable sources to determine what action steps should be taken to ensure full compliance with all IDEA requirements.</p> <p>Target advertising and marketing to historically underserved student populations and/or communities and train staff on how to appropriately communicate with families inquiring about special education services.</p>				
<p>11) Demographics of the students to enroll in AIPCS II, particularly during the school year and outside of the annual enrollment process</p>	<p>AIPCS II shall collect and evaluate student demographic data starting with the beginning of the school year and continuing monthly to monitor demographic information for the registration period, and throughout the year. The data analysis will provide information to inform student recruitment and marketing and communication efforts. We will also be able to identify any patterns or trends that we might need to respond to improve school/program advertising and marketing, the enrollment process, and ensure equitable access to forms and support in completing registration. The data analysis may also assist us in identifying any barriers that may exist for families interested in enrolling, i.e., language barriers or transportation.</p>	<p>11/16/23</p> <p>Supt.</p> <p>Ombudsman</p> <p>Governing Board monitoring - quarterly</p>			

*NOTE: Evidence-based progress monitoring shall provide information on specific actions, quantitative data, dates, reports, participation, outcomes/findings, etc. as evidence of various actions for the respective CAP goal. Progress monitoring updates timeframe shall align with the dates provided by OUSD in the notice on page 29: \*report progress through December 31, 2023 by February 1, 2024; \*\*report progress through March 31, 2023 by May 1, 2024; and \*\*\*report progress through June 30, 2023 by August 1, 2024. All updates shall be presented to and approved by the AIPCS II Governing Board prior to submission to OUSD.*

## Description and Purpose of AIMS CAP Advisory and Monitoring Committee

AIMS has taken a proactive and transparent approach to responding to the CAP, by assembling a dedicated committee of highly qualified individuals who not only possess expertise in their respective fields but also maintain a solid connection to both AIMS and the broader OUSD community. The primary purpose of this committee is to foster open and genuine feedback, while actively monitoring AIMS' progress, addressing OUSD's concerns, and facilitating corrective actions as necessary. The CAP Advisory and Monitoring Committee shall review all CAP updates/reports, provide an analysis of the findings, and make any commendations or recommendations to the AIPCS II Governing Board prior to their approval of the report and subsequent submission to OUSD. This commitment to oversight, transparency, and stakeholder engagement underscores AIMS' dedication to creating an inclusive, compliant, and thriving educational environment that benefits the entire Oakland community, ultimately reinforcing trust and accountability in the educational processes and outcomes of AIMS charter schools.

## Conclusion

AIMS reiterates its commitment to working collaboratively with OUSD. We genuinely want to provide quality education for all students, and we do not waive any legal rights. We are dedicated to addressing concerns in a timely manner and expect that we will be notified in writing of any questions or concerns that OUSD, the Office of Charter Schools, or OUSD Board of Directors may have related to our CAP. Together, we may continue to improve the educational experience for all Oakland students.

DocuSigned by:  
*Chris Edington*  
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Chris Edington

President, Board of Directors

DocuSigned by:  
*Superintendent Maya Woods-Cadiz*  
CE8F9ECDC74B472...

Superintendent Maya Woods-Cadiz

# Exhibit A

## AIMS CAP Advisory and Monitoring Committee Membership

Role	Name	Background
CAP Committee Chairperson	Dr. Michele Bowers	- Leadership Consultant, - CEO, Vital Educational Leadership and President, California Association of African American Superintendents and Administrators (CAAASA) - Retired California Superintendent (10 years)
Administrator from AIPCS II	HOA Axia Vang K-5 Dean Andrew Hampton K-5 HOA Zubida Bakheit 6-8 Dean Mikael Wooten 6-8	- Site Administrators
Superintendent	Maya Woods-Cadiz	- AIMS Superintendent - Previous OUSD Administrator
Office of Academics and Data	Christopher Ahmad	- AIMS Academics and Data Director
Chief Business Office	Katema Ballentine	- AIMS CBO - Previous OUSD Financial Officer
Department of Special Education	Deborah Woods	- AIMS Special Education Director
Office of Compliance	Tiffany Tung	- AIMS Compliance Director
Board Member	Dr. Jaime Colly	- CCSA Northern California Vice President - AIMS Parent - AIMS Board Member
Board Member	Chris Edington	- AIMS Board President
Office of School Support	Marisol Magana	- AIMS School Safety and Support Director
Office of The Ombudsman	Eric Haar	- AIMS Ombudsman - Former OUSD Employee, Department of HR
Office of the Ombudsman	Delicia Moghadam	- AIMS Human Resource and Employee Support Coordinator
Office of Schools Monitoring and Achievement	Natalie Glass	- AIMS Director of Schools
Independent Advisor	Dr. Marco Durazo	- CCSA Managing Director, Bay Area Local Advocacy
Independent Advisor:	Lars Jorgensen	- Chief of Staff, Highlands Community Charter and Technical Schools - Previous OUSD Director of Student Enrollment
Independent Advisor	Alison Rose	- Educational Consultant, SELPA Program Coordinator, El Dorado Selpa - Director of Student Services, BayTech - School Psychologist - OUSD Special Education Teacher
Independent Advisor	Isaac Kos-Read	- AIMS Parent