

UNIFORM COMPLAINT PROCEDURES

The Governing Board recognizes that the district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The district shall investigate and seek to resolve any complaints alleging failure to comply with such laws and/or alleging unlawful discrimination, harassment, intimidation, or bullying in accordance with the uniform complaint procedures.

The district shall use the uniform complaint procedures to resolve any complaint alleging unlawful discrimination, harassment, intimidation, or bullying in district programs and activities based on actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Penal Code 422.55, or Government Code 11135, or based on association with a person or group with one or more of these actual or perceived characteristics.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 4030 - Nondiscrimination in Employment)

(cf. 4031 - Complaints Concerning Discrimination in Employment)

(cf. 5131.2 - Bullying)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

Uniform complaint procedures shall also be used to address any complaint alleging the district's failure to comply with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities, the requirements for the development and adoption of a school safety plan, and state and/or federal laws in adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, and special education programs.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.2 - Complaints Concerning Instructional Materials)

(cf. 3260 - Fees and Charges)

(cf. 3320 - Claims and Actions Against the District)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 3555 - Nutrition Program Compliance)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

(cf. 5148 - Child Care and Development)

(cf. 6159 - Individualized Education Program)

(cf. 6171 - Title I Programs)

(cf. 6174 - Education for English Language Learners)

(cf. 6175 - Migrant Education Program)

(cf. 6178 - Career Technical Education)

(cf. 6178.1 - Work-Based Learning)

(cf. 6178.2 - Regional Occupational Center/Program)

UNIFORM COMPLAINT PROCEDURES (cont')

(cf. 6200 - Adult Education)

The Board prohibits any form of retaliation against any complainant in the complaint process. Participation in the complaint process shall not in any way affect the status, grades, or work assignments of the complainant.

The Board encourages the early, informal resolution of complaints at the site level whenever possible.

The Board recognizes that a neutral mediator can often suggest a compromise that is agreeable to all parties in a dispute. In accordance with the uniform complaint procedures, whenever all parties to a complaint agree to try resolving the problem through mediation, the Superintendent or designee shall initiate that process. The Superintendent or designee shall ensure that the results are consistent with state and federal laws and regulations.

In investigating complaints, the confidentiality of the parties involved and the integrity of the process shall be protected. As appropriate for any complaint alleging discrimination, harassment, intimidation, or bullying, the Superintendent or designee may keep the identity of a complainant confidential to the extent that the investigation of the complaint is not obstructed.

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

(cf. 5125 - Student Records)

(cf. 9011 - Disclosure of Confidential/Privileged Information)

The district's Williams uniform complaint procedures, AR 1312.4, shall be used to investigate and resolve any complaint related to the following:

1. Sufficiency of textbooks or instructional materials
2. Emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff
3. Teacher vacancies and misassignments

(cf. 1312.4 - Williams Uniform Complaint Procedures)

Legal Reference:

EDUCATION CODE

200-262.4 *Prohibition of discrimination*

8200-8498 *Child care and development programs*

8500-8538 *Adult basic education*

18100-18203 *School libraries*

32289 *School safety plan, uniform complaint procedures*

35186 *Williams uniform complaint procedures*

37254 *Intensive instruction and services for students who have not passed exit exam*

41500-41513 *Categorical education block grants*

UNIFORM COMPLAINT PROCEDURES (cont')

- 48985 *Notices in language other than English*
- 49010-49013 *Student fees*
- 49060-49079 *Student records*
- 49490-49590 *Child nutrition programs*
- 52160-52178 *Bilingual education programs*
- 52300-52490 *Career technical education*
- 52500-52616.24 *Adult schools*
- 52800-52870 *School-based program coordination*
- 54000-54028 *Economic impact aid programs*
- 54100-54145 *Miller-Unruh Basic Reading Act*
- 54400-54425 *Compensatory education programs*
- 54440-54445 *Migrant education*
- 54460-54529 *Compensatory education programs*
- 56000-56867 *Special education programs*
- 59000-59300 *Special schools and centers*
- 64000-64001 *Consolidated application process*
- GOVERNMENT CODE**
- 11135 *Nondiscrimination in programs or activities funded by state*
- 12900-12996 *Fair Employment and Housing Act*
- PENAL CODE**
- 422.55 *Hate crime; definition*
- 422.6 *Interference with constitutional right or privilege*
- CODE OF REGULATIONS, TITLE 5**
- 3080 *Application of section*
- 4600-4687 *Uniform complaint procedures*
- 4900-4965 *Nondiscrimination in elementary and secondary education programs*
- UNITED STATES CODE, TITLE 20**
- 6301-6577 *Title I basic programs*
- 6601-6777 *Title II preparing and recruiting high quality teachers and principals*
- 6801-6871 *Title III language instruction for limited English proficient and immigrant students*
- 7101-7184 *Safe and Drug-Free Schools and Communities Act*
- 7201-7283g *Title V promoting informed parental choice and innovative programs*
- 7301-7372 *Title V rural and low-income school programs*

Management Resources:

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

Policy

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SOMIS UNION SCHOOL DISTRICT

Somis, California