

UNIFORM COMPLAINT PROCEDURES

The Governing Board recognizes that the district is primarily responsible for complying with applicable state and federal laws and regulations governing educational programs. The district shall investigate complaints alleging failure to comply with such laws and/or alleging discrimination and shall seek to resolve those complaints in accordance with the district's uniform complaint procedures. (5 CCR 4620).

The district shall follow uniform complaint procedures when addressing complaints alleging unlawful discrimination against any protected group as identified under Education Code 200 and 220 and Government Code 11135, including actual or perceived sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability, or age, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any district program or activity that receives or benefits from the state financial assistance. (5 CCR 4610).

Uniform complaint procedures shall also be used when addressing complaints alleging failure to comply with state and/or federal law in adult education, consolidated categorical aid programs, migrant education, career technical and technical education and career technical and technical training programs, child care and developmental programs, child nutrition programs and special education programs.

- (cf. 1312.1 – Complaints Concerning District Employees)
- (cf. 1312.2 – Complaints Concerning Instructional Materials)
- (cf. 3553 – Free and Reduced Price Meals)
- (cf. 4031 – Complaints Concerning Discrimination in Employment)
- (cf. 5141.4 – Child Abuse Prevention and Reporting)
- (cf. 6159 – Individualized Education Program)
- (cf. 6171 – Title I Programs)
- (cf. 6174 – Education for English Language Learners)
- (cf. 6178 – Vocational Education)

Complaints related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, and teacher vacancies and misassignments shall be investigated pursuant to the district's Williams uniform complaint procedure (AR 1312.4).

- (cf. 1312.4 – Williams Uniform Complaint Procedures)

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

The Board acknowledges and respects student and employee rights to privacy. Discrimination complaints shall be investigated in a manner that protects the confidentiality of the parties and the integrity of the process, to the extent reasonably feasible. This may include keeping the identity of the complainant confidential, as appropriate, except to the extent disclosure is

necessary to carry out the investigation or proceedings, as determined by the Superintendent or designee on a case-by-case basis.

(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 Board prohibits any form of retaliation for the participation in complaint procedures, including but not limited to the filing of a complaint or the reporting of instances of discrimination. Such participation shall not in any way affect the status, grades or work assignments of the complainant.

The Board recognizes that, in certain circumstances, a neutral mediator can suggest an early compromise that is agreeable to all parties in a dispute. When all parties to a complaint (including the District) agree to try resolving the complaint through mediation, the Superintendent or designee shall arrange for a mediation process and timeline. Mediation is a voluntary process by which the parties attempt to reach mutually beneficial resolution, with the aid of an experienced and neutral third party. It is not a guarantee of any particular result, or even that a resolution will be reached via that process.

Legal Reference:

EDUCATION CODE

200-262.4	<i>Prohibition of discrimination</i>
8200-8498	<i>Child care and development programs</i>
8500-8538	<i>Adult basic education</i>
18100-18203	<i>School libraries</i>
32289	<i>School safety plan, uniform complaint procedure</i>
35186	<i>Williams uniform complaint procedure</i>
41500-41513	<i>Categorical education block grants</i>
48985	<i>Notices in language other than English</i>
49060-49079	<i>Student records</i>
52160-52178	<i>Bilingual education programs</i>
52300-52499.6	<i>Career-technical education</i>
52500-52616.24	<i>Adult schools</i>
52800-52870	<i>School-based coordinated programs</i>
54000-54041	<i>Economic impact aid programs</i>
54100-54145	<i>Miller-Unruh Basic Reading Act</i>
54400-54425	<i>Compensatory education programs</i>
54440-54445	<i>Migrant education</i>
54460-54529	<i>Compensatory education programs</i>
56000-56885	<i>Special education programs</i>
59000-59300	<i>Special schools and centers</i>
64000-64001	<i>Consolidated application process</i>

CODE OF REGULATIONS, TITLE 5

3080	<i>Application of section</i>
4600-4687	<i>Uniform complaint procedures</i>
4900-4965	<i>Nondiscrimination in elementary and secondary education programs</i>

PENAL CODE

422.6 *Interference with constitutional right or privilege*

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 promotion informed parental choice and innovative programs*

7301-7372 *Title V rural and low-income school programs*

MANAGEMENT RESOURCES:

WEBSITES

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/offices/OCR>

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