

UNIFORM COMPLAINT PROCEDURES**UNIFORM COMPLAINT PROCEDURES**

The Board of Trustees 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.

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.

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, Local Control Funding Formula programs and the LCAP implementation process, and special education programs.

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, or the lack of opportunity to receive intensive instruction and services to pupils who did not pass one or both parts of the high school exit examination by the end of grade 12, shall be investigated pursuant to the District's Uniform Complaint Procedure.

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

The Board of Trustees acknowledges and respects every individual's right to privacy. Discrimination complaints shall be investigated in a manner that protects the confidentiality of the parties and the integrity of the process. This may include keeping the identity of the complainant confidential, as appropriate and except to the extent necessary to carry out the investigation or proceedings, as determined by the Superintendent or designee, on a case-by-case basis.

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

The Board of Trustees recognizes that a neutral mediator can often suggest a compromise that is agreeable to all parties in a dispute. In accordance with uniform complaint procedures, whenever all parties to a complaint agree to try resolving their 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.

LEGAL REFERENCE**EDUCATION CODE**

Prohibition of discrimination

Child care and development programs

Adult basic education

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
35160.5	Requirement of school district policies: parental complaints re: employees
35186	Williams Uniform Complaint Procedures
37254	Intensive Instruction and services for students who have not passed exit exam
41500-41513	Categorical education block grants
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
52300-52499.6	Career-technical education
52500-52616.24	Adult schools
52800-52870	School-based coordinated programs
54000-54041	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
56000-56885	Special education programs
59000-59300	Special schools and centers
64000-64001	Consolidated application process

CODE OF REGULATIONS, TITLE 5

3080	Application of section
4600-4687	Uniform Complaint Procedures
4900-4965	Nondiscrimination in elementary and secondary education programs

PENAL CODE

422.55 Hate crime; definition
422.6 Interference with constitutional right or privilege

GOVERNMENT CODE

CIVIL RIGHTS ACT OF 1964
42 U.S.C.A. Section 2000c et seq.

TITLE IX, EDUCATION AMENDMENTS OF 1972
20 U.S.C.A. Section 1231g, 1681 et seq.

SECTION 504, REHABILITATION ACT OF 1973
29 U.S.C.A. Section 721, 761

EDUCATION CONSOLIDATION AND IMPROVEMENT ACT OF 1981
20 U.S.C.A. Section 3801 et seq.

GENERAL EDUCATION PROVISIONS ACT
20 U.S.C.A. 1221 et seq., especially:

FAMILY EDUCATION AND PRIVACY RIGHTS ACT OF 1974
20 U.S.C.A. Section 1221, 1232 g

34 CODE OF FEDERAL REGULATIONS, Section 100.7(e)

SENATE BILL 6

SENATE BILL 550

ASSEMBLY BILL 1550

ASSEMBLY BILL 2727

ASSEMBLY BILL 3001

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

SAFE AND DRUG-FREE SCHOOLS AND COMMUNITIES ACT

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/offices/OCR>