

UNIFORM COMPLAINT PROCEDURES

The Governing Board recognizes that the District is responsible for complying with applicable State and Federal laws and regulations governing educational program.

The District shall follow Uniform Complaint Procedures when addressing complaints alleging unlawful discrimination based on age, sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or physical or mental disability in any program or activity that receives or benefits from state financial assistance. The District shall also follow uniform complaint procedures when addressing complaints alleging failure to comply with state or federal law in adult basic education, consolidated categorical aid programs, migrant education, vocational education, child care and development programs, child nutrition programs, special education programs, and federal school safety planning requirements.

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

(cf. 0450 - Comprehensive Safety Plan)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

(cf. 0420.2 - School Improvement Program)

(cf. 0430 - Comprehensive Local Plan for Special Education)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 5148 - Child Care and Development)

(cf. 6171 - Title I Programs)

(cf. 6174 - Education for English Language Learners)

(cf. 6175 - Migrant Education Program)

(cf. 6178 - Vocational Education)

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

The Board 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 facts. This includes keeping the identity of the complainant confidential 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.

(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 retaliation in any form for participating 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.

UNIFORM COMPLAINT PROCEDURES continued

The Board recognizes that a neutral mediator can often suggest an early 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 a mediation. The Superintendent or designee shall ensure that mediation results are consistent with state and federal laws and regulations.

Legal Reference:

EDUCATION CODE

- 200-262.3 Prohibition of discrimination
- 8200-8498 Child Care and Development Programs
- 8500-8538 Adult Basic Education
- 18100-18179 School libraries
- 32289 - School Safety Plan, Uniform Complaint Procedure)
- 35146 Closed sessions
- 48985 Notices in language other than English
 - 49060-49079 Student records
 - 49490-49560 Child Nutrition Programs
- 51513 Personal beliefs
- 52160-52178 Bilingual Education Programs
 - 52300-52483 Vocational 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

GOVERNMENT CODE

- 54957 - 54957.8 Closed sessions

CODE OF REGULATIONS, TITLE 5

- 3800 Application of section
- 4600 - 4671 Uniform Complaint Procedures

PENAL CODE

- 422.6 Interference with constitutional right or privilege

Legal Reference continued on next page

UNIFORM COMPLAINT PROCEDURES continued

Legal References continued:

- 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, including
- 7114 Local education program, safety plans
- 7201 - 7283g Title V, Promoting informed parents choice and innovative programs
- 7301 - 7372 Title VI, Rural and low-income school programs

Management Resources:

WEB SITES

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

U.S. Department of Education, Office for Civil Rights:

<http://www.ed.gov/offices.OCR>

Update #1

First Reading: June 3, 2003

Second Reading:

July 1, 2003

Update #2

First Reading:
February 3, 2004

Second Reading:
March 2, 2004

Update #3

First Reading: November 8, 2005

Second Reading: April 11, 2006

Policy

Adopted: March 13, 2000

Update #1 and readopted: July 1, 2003

Update #2 and readopted: March 2, 2004

Update #3 and readopted: April 11, 2006

FORTUNA UNION HIGH SCHOOL DISTRICT
Fortuna, California