

Community Relations
UNIFORM COMPLAINT PROCEDURES

BP 1312.3

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

The COE shall follow uniform complaint procedures to resolve any complaint alleging unlawful discrimination, harassment, intimidation or bullying in COE 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 when addressing complaints 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 with state and/or federal laws in adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and career technical and technical training programs, child care and development programs, child nutrition programs, and special education programs.

The Board acknowledges and respects every individual's right to privacy. Discrimination, harassment, intimidation or bullying 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 County 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 County Board encourages the early, informal resolution of complaints at the site level whenever possible.

The County Board 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 the process. The

Superintendent or designee shall ensure that the results are consistent with state and federal laws and regulations

The COE's Williams uniform complaint procedure, 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
4. Local Control Funding Formula
5. Local Control Accountability Plan

Adopted 11/20/2014

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*

48985 *Notices in language other than English*

49010-49013 *Student fees*

49060-49079 *Student records*

49490-49590 *Child nutrition programs*

52060-52077 *Local control and accountability plan, especially*

52075 *Complaint for lack of compliance with local control and accountability plan requirements*

52160-52178 *Bilingual education programs*

52300-52490 *Career technical education*

52500-52616.24 *Adult schools*

52800-52870 *School-based program coordination*

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

1221 *Application of laws*

1232g *Family Educational Rights and Privacy Act*

1681-1688 *Title IX of the Education Amendments of 1972*

6301-6577 *Title I basic programs*

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*

12101-12213 *Title II equal opportunity for individuals with disabilities*