

Community Relations**UNIFORM COMPLAINT PROCEDURES**

The Board of Trustees recognizes that the District has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The Board encourages the early, informal resolution of complaints whenever possible and appropriate. To resolve complaints that cannot be resolved through such informal process, the Board shall adopt the uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation.

The Uniform Complaint Procedures (UCP) are used to resolve complaints related to specific areas, as outlined by law. The District does not operate programs in all these areas; however, these areas include and may not necessarily be limited to:

1. Adult education programs established pursuant to Sections 8500 to 8538, inclusive, Section 52334.7 and Sections 52500 to 52617, inclusive.
2. Consolidated categorical aid programs as listed in subdivision (a) of Section 64000.
3. Migrant child education established pursuant to Sections 54440 to 54445, inclusive.
4. Career technical and technical education and career technical and technical training programs established pursuant to Sections 52300 to 52462, inclusive.
5. Child care and development programs established pursuant to Sections 8200 to 8498, inclusive.
6. The filing of complaints that allege unlawful discrimination, harassment, intimidation, or bullying against any protected group as identified under Sections 200 and 220 and Section 11135 of the Government Code, including any actual or perceived characteristic as set forth in Section 422.55 of the Penal Code, 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 program or activity conducted by an educational institution, as defined in Section 210.3, that is funded directly by, or that receives or benefits from, any state financial assistance.
7. Lactation accommodations pursuant to Section 222 and accommodations for pregnant and parenting pupils (per section 46015).
8. Educational rights of foster youth pursuant to Sections 48853, 48853.5, and 49069.5, and graduation requirements for foster youth, homeless youth, and other youth (e.g. students who are homeless, from military families, or were previously in Juvenile Court) pursuant to Section 51225.1.
9. Pupil fees pursuant to Sections 49010 to 49013, inclusive.

Community Relations

UNIFORM COMPLAINT PROCEDURES

10. Courses of study pursuant to Section 51228.3, or course periods without educational content pursuant to Section 51228.1.
11. Instructional minutes for physical education pursuant to Section 51223.
12. Local control and accountability plans pursuant to Section 52075.
13. Juvenile court schools pursuant to Section 48645.7.
14. School safety plans pursuant to Section 32289.
15. Deficiencies related to preschool health and safety issues for a California state preschool program pursuant to Section 8235.5.
16. Other programs as outlined specifically in Education Code as falling under the Uniform Complaint Procedures, as then current in law. These may include such areas as the following; however, in the event there is a disagreement between this policy and the law, the procedures outlined in Education Code will govern:
 - 1) After School Education and Safety (Sections 8482 through 8484.65);
 - 2) Agricultural Career Technical Education (Sections 52460 through 52462)
 - 3) Compensatory Education (Sections 54400)
 - 4) Every Student Succeeds Act (Section 52059)
 - 5) Regional Occupational Centers and Programs (Sections 52300-52334.7);
 - 6) School Plans for Student Achievement (Section 64001);
 - 7) School Site Councils (Section 65000); and
 - 8) State Preschools (Sections 8235-8239.1).
17. Any other state or federal educational program the Superintendent deems appropriate.

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

The District shall protect all complainants from retaliation. In investigating complaints, the confidentiality of the parties involved shall be protected as required by law.

When an allegation that is not subject to the UCP is included in a UCP complaint, the District shall refer the non-UCP allegation to the appropriate staff or agency and shall investigate and, if appropriate, resolve the UCP-related allegation(s) through the District's UCP.

The Superintendent or designee shall provide training to designated district staff to ensure awareness and knowledge of current law and related requirements, including the steps and timelines specified in this policy and the accompanying administrative regulation.

Community Relations

UNIFORM COMPLAINT PROCEDURES

The Superintendent or designee shall maintain records of all UCP complaints and the investigations of those complaints. All such records shall be destroyed in accordance with applicable state law and district policy.

In addition to filing a UCP, complainants may have rights to pursue civil law remedies under state or federal discrimination, harassment, intimidation or bullying laws.

Non-UCP Complaints

The following complaints are not subject to the District's UCP but may be referred to the specified agency: (5 CCR 4611)

1. Complaints alleging child abuse or neglect: to the County Department of Social Services, the County Protective Services Division, and the appropriate law enforcement agency.
2. Complaints alleging health and safety violations by a child development program, for licensed facilities: to the Department of Social Services; for licensing-exempt facilities: to the appropriate Child Development regional administrator.
3. Complaints alleging discrimination involving child nutrition programs: to the U.S. Department of Agriculture.
4. Complaints alleging violation of Title IX of the Educational Amendments of 1972: to the United States Office for Civil Rights.
5. Complaints alleging employment discrimination: to the California Department of Fair Employment and Housing, with notice to the complainant by first class mail of the transfer.
6. Complaints alleging fraud: to the California Department of Education.
7. Complaints alleging violation of Special Education laws: to the California Department of Education.

In addition, the District's Williams Uniform Complaint Procedures, AR 1312.4, shall be used to investigate and resolve any complaint 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, or teacher vacancies and misassignments. (Education Code 35186)

Policy

Adopted: June 14, 1999

revised: November 9, 2022