

Elk Grove Unified School District

ANNUAL NOTIFICATION OF THE UNIFORM COMPLAINT PROCEDURES (UCP) – 2015-2016 SCHOOL YEAR

(Board Policy 1312.3)

**For students, employees, parents/guardians, school and district advisory committees,
appropriate private school officials, and other interested parties**

For students, employees, parents/guardians, school and district advisory committee members,
appropriate private school officials, and other interested parties.

The Elk Grove Unified School District (hereinafter “District”) has the primary responsibility to ensure compliance with applicable state and federal laws and regulations and has established procedures to address allegations of unlawful discrimination, harassment, intimidation, and bullying, and complaints alleging violation of state or federal laws governing educational programs and the charging of unlawful pupil fees.

The District shall investigate and seek to resolve complaints using policies and procedures known as the uniform complaint procedures (UCP) adopted by our local board. This document also applies to the filing of complaints which allege unlawful discrimination, harassment, intimidation, and bullying based on actual or perceived characteristics of age, ancestry, color, ethnic group identification, gender expression, gender identity, gender, physical or mental disability, nationality, national origin, race or ethnicity, religion, sex, sexual orientation, genetic information or any other characteristic identified in Education Code 200 or 220, Penal Code 422.55, or Government Code 11135, or on 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 the District, which is funded by, or that receives or benefits from any state or federal financial assistance.

The UCP shall also be used when addressing complaints alleging failure to comply with state and/or federal laws in:

- Adult Education
- Consolidated Categorical Aid Programs
- Migrant Education
- Career Technical and Technical Education and Training Programs
- Child Care and Developmental Programs
- Child Nutrition Programs
- Special Education Programs
- Homeless Education
- Foster Youth Services
- Comprehensive School Safety Plans
- Local Control and Accountability Plans (LCAP)

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A complaint of noncompliance with laws relating to pupil fees may be filed pursuant to the local UCP. A pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity.

A pupil fee includes, but is not limited to, all of the following:

1. A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory, or is for credit.
2. A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, clothes, or other materials or equipment.
3. A purchase that a pupil is required to make to obtain materials, supplies, equipment, or clothes associated with an educational activity.

A pupil fee complaint shall not be filed later than one year from the date the alleged violation occurred.

Complaints other than complaints relating to pupil fees must be filed in writing with the following compliance officers who shall investigate complaints and ensure District compliance with state and federal law and regulations. The address for each of these compliance officers is: Elk Grove Unified School District, 9510 Elk-Grove Florin Road, Elk Grove, California, 95624

Adult Education Programs - *Director, College/Career Options; (916) 686-7717*
Consolidated Categorical Aid Programs - *Director, Learning Support Services; (916) 686-7712*

Migrant Education - *Director, Learning Support Services; (916) 686-7712*
Career Technical and Technical Education and Career Technical and Technical Training Programs - *Director, College/Career Options; (916) 686-7709*

Child Care & Development Programs – *Director, College/Career Options; (916) 686-7704*

Child Nutrition Programs - *Director, Food & Nutrition Services; (916) 686-7735*

Special Education Programs – *Director, Special Education; (916) 686-7780*

Homeless Education – *Director, Student Support & Health Services; (916) 686-7568*

Foster Youth Services – *Director, Student Support & Health Services; (916) 686-7568*

Comprehensive School Safety Plans – *Chief, Police Services Department; (916) 686-7786*

Local Control and Accountability Plan (LCAP) – *Director, Learning Support Services (916) 686-7712*

Discrimination, Intimidation, Harassment or Bullying Complaints

Involving District Employee(s):

Associate Superintendent, Human Resources; (916) 686-7795

Involving Student(s):

Associate Superintendent, PreK-6 Education; (916) 686-7704;

Associate Superintendent, Secondary Education (7-12); (916) 686-7706

Student Fees

Complaints of noncompliance with laws relating to pupil fees are filed with a principal of a school. A complaint regarding pupil fees may be filed anonymously if the complaint provides evidence or information to support an allegation of noncompliance with laws relating to pupil fees.

Written complaints alleging discrimination, harassment, intimidation, or bullying must be filed within six (6) months from the date the alleged discrimination, harassment, intimidation, or bullying occurred, or the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying, unless the time for filing is extended by the superintendent or his or her designee.

Written complaints will be investigated and a written decision or report will be sent to the complainant within sixty (60) days from the receipt of the complaint. This sixty (60) day time period may be extended by written agreement of the complainant. The District employee responsible for investigating a written complaint shall conduct and complete the investigation in accordance with sections 4680-4687 and in accordance with local procedures adopted under section 4621. The complainant has a right to appeal the District's decision to the California Department of Education (CDE) by filing a written appeal within 15 calendar days of receiving the District's decision. The appeal must include a copy of the complaint filed with the District and a copy of the District's decision.

Notwithstanding the process for written complaints, any individual who believes that he/she or another student or group has been subjected to unlawful discrimination may orally report the alleged discrimination to the involved student's teacher (or a teacher of a student in the alleged group), or to the principal, or to the principal's designee of the school site where the alleged discrimination occurred. The principal or principal's designee shall, in process of following up on the report, inform the individual making the report of the right to file a written complaint. If the individual making the oral report does not want to file a written complaint, does not want to be identified, or does not give names of the perpetrators, the school still may have a duty to respond in some way depending on the seriousness of the allegations and the risk of future harm to the student or others. However, the extent to which these concerns can be investigated and/or responded to may be limited given the lack of information made available to the District. The District's response to the oral reporting of concerns of unlawful discrimination shall follow the process set forth in the local UCP.

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Civil law remedies may be available under state or federal discrimination, harassment, intimidation, or bullying laws, if applicable. In appropriate cases, an appeal may be filed pursuant to Education Code Section 262.3. A complainant may pursue available civil law remedies outside of the District's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders.

A copy of the District's UCP policy and complaint procedures shall be available free of charge. In addition, a copy of Board Policy 1312.3 – Uniform Complaint Procedures, along with a copy of a complaint form that can be used to file a written complaint under the UCP, is located on the District's Internet web site at egusd.net. Once the web site is accessed, please follow the links for "Students & Parents" and then "District Policies/Procedures/Notices".

Questions

For more information regarding the District's uniform complaint procedures or assistance with the complaint or investigation process, please contact the Legal Compliance Office in Human Resources at (916) 686-7795.