

Elk Grove Unified School District

**ANNUAL NOTIFICATION OF THE UNIFORM COMPLAINT PROCEDURES (UCP) –
2016 - 2017 SCHOOL YEAR**

(Board Policy 1312.3)

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

The Elk Grove Unified School District has the primary responsibility for compliance with federal and state laws and regulations. We have established Uniform Complaint Procedures (UCP) to address allegations of unlawful discrimination, harassment, intimidation, and bullying, and complaints alleging violation of state or federal laws governing educational programs, the charging of unlawful pupil fees and the non-compliance of our Local Control and Accountability Plan (LCAP).

We will investigate all allegations of unlawful discrimination, harassment, intimidation or bullying against any protected group as identified in Education Code section 200 and 220 and Government Code section 11135, including any actual or perceived characteristics as set forth in Penal Code section 422.55 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 the agency, which is funded directly by, or that receives or benefits from any state financial assistance.

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

- Adult Education
- After School Education and Safety
- Agricultural Vocational Education
- American Indian Education Centers and Early Childhood Education Program
- Assessments
- Bilingual Education
- California Peer Assistance and Review Programs for Teachers
- Career Technical and Technical Education and Career Technical and Technical Training
- Career Technical Education
- Child Care and Development
- Child Nutrition
- Compensatory Education
- Consolidated Categorical Aid
- Course Periods without Educational Content
- Economic Impact Aid
- Education of Pupils in Foster Care and Pupils who are Homeless

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Every Student Succeeds Act / No Child Left Behind
Local Control Accountability Plans (including Charter Schools as described in EC §§
47606.5 and 47607.3);
Migrant Education
Physical Education Instructional Minutes
Pupil Fees
Reasonable Accommodations to a Lactating Pupil
Regional Occupational Centers and Programs
School Safety Plans
Special Education
State Preschool
Tobacco-Use Prevention Education

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 fees or LCAP complaint may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint.

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 complaint shall be filed no later than one year from the date the alleged violation occurred.

We shall post a standardized notice of the educational rights of foster and homeless youth, as specified in Education Code Sections 48853, 48853.5, 48853.5, 49069.5, 51225.1, and 51225.2. This notice shall include complaint process information, as applicable.

Complaints other than issues relating to pupil fees must be filed in writing with the following designated to receive complaints:

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Name or title: Legal Compliance Specialist

Unit or office: Human Resources

Address: Human Resources Department, Elk Grove Unified School District, 9510 Elk Grove-Florin Road, Elk Grove, CA 95624

Phone: (916) 686-7795

E-mail address: egusdhr@egusd.net

The above, responsible for compliance and investigations, is knowledgeable about the laws and programs assigned to investigate.

The compliance officer who receives a complaint may assign another compliance officer to investigate and resolve the complaint. The compliance officer shall promptly notify the complainant and respondent, if applicable, if another compliance officer is assigned to the complaint.

A pupil fees complaint is filed with the Superintendent or his designee and/or the principal of a school.

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.

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 time period may be extended by written agreement of the complainant. The person responsible for investigating the complaint shall conduct and complete the investigation in accordance with local procedures adopted under section 4621.

The complainant has a right to appeal our Decision of complaints regarding specific programs, pupil fees and the LCAP to the California Department of Education (CDE) by filing a written appeal within 15 days of receiving our Decision. The appeal must be accompanied by a copy of the originally-filed complaint and a copy of our Decision.

The complainant is advised of civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable.

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

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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.

A copy of our UCP complaint policies and procedures is available free of charge and is also available on the District's website at the following link:

<http://www.egusd.net/about/district/policiesproceduresnotices/>

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.