

## **UNIFORM COMPLAINT PROCEDURES**

These procedures are available for use as described below:

Uniform Complaint Procedures were developed and established to handle complaints against the district that involve specific educational programs which are conducted with state or federal funds or that regard charges that the district has unlawfully discriminated against someone. (Procedures established in accordance with state law Title 5, California Code of Regulations, Sections 4600-4671).

These same complaint procedures may be used to file complaints against the district which allege unlawful discrimination under the following federal laws: Section 504 or the Americans with Disabilities Act (discrimination based on physical or mental disability); Title IX (discrimination based on gender, including sexual harassment); and Title VI (discrimination based on race, color or national origin). Discrimination complaints must be filed within 6 months of last occurrence or when knowledge was first obtained.

### **What Programs are Covered?**

These complaint procedures cover the following educational programs:

1. Consolidated categorical aid programs
2. Child Care and Development
3. Child Nutrition
4. Special Education
5. Any other program benefiting from state or federal funds in which discrimination occur based on ethnicity, ancestry, religion, age, gender (including sexual harassment), sexual orientation, color, physical or mental disability, medical condition or political belief or affiliation.

### **How to Submit a Complaint**

Any person, organization or public agency concerned about a violation of state or federal regulations governing an educational program listed in this brochure is to submit a written complaint to the office of the District Superintendent. This office will provide assistance to those who cannot complete a written complaint.

The district assures confidentiality of the facts to the maximum extent possible. The district prohibits retaliation against anyone who participates in the complaint investigation process

### **Civil Law Remedies**

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. For discrimination complaints, however, a complainant must wait until 60 days have elapsed from the filing of an appeal with the California Department of Education (CDE) before pursuing civil law remedies. The moratorium does not apply to injunctive relief and is applicable only if the district has appropriately and, in a timely manner, apprised the complainant of his/her right to file a complaint in accordance with 5 CCR 4622 (EC 262.3)

### How a Complaint is Investigated and Answered

Each complaint is investigated by the district office which must do the following within 60 days:

1. Provide an opportunity for the person or organization complaining and district personnel to present information related to the complaint.
2. Obtain specific information from other persons familiar with events and locations related to the complaint.
3. Review related documents.
4. Prepare a written report (in English and in the language of the complainant) on findings and recommended solutions.
5. Notify the person or organization of appeal procedures.

Complaints about special education programs and services may also be referred by the district or the complainant may file the complaint with the California Department of Education, Special Education Division. To file a special education complaint directly with the CDE, you may write to the CDE at the address listed under the section entitled "How to Appeal".

### How to Appeal

Persons or organizations disagreeing with the district decision have fifteen days after receipt of the decisions to file an appeal. The appeal must be in writing and must include a copy of the original complaint, as well as a copy of the local site decision provided to them.

If the original complaint involved one of the educational programs (listed 1-5), the appeal should be sent to:

State of California Department of Education  
State Superintendent of Public Instruction  
P O Box 944272  
Sacramento, CA 94244-2710

Appeals of local site decisions involving Title IX or Title VI may also be directed to the Department of Education (see address above) for resolution.

<p><b>Only complaints with the original signature will be accepted. The 60-day time line shall begin when the complaint is received.</b></p>
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**ALPINE UNION SCHOOL DISTRICT**

**Uniform Complaint Form**

(Reference: District Policy No. 1312.3)

TO: Office of the Assistant Superintendent of Human Resources and Student Services  
2001 Tavern Rd  
Alpine, CA 91901

FROM: Name(s) \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ Zip \_\_\_\_\_  
Home Phone \_\_\_\_\_ Work Phone \_\_\_\_\_

**PROGRAM(S) CONCERNED**

1. A violation of federal or state law or regulation governing the following program(s):

(Please check below):

- ☐ Child Nutrition (Education Code Sections 49490-49560)
- ☐ Child Care and Development (Education Code Sections 8200-8493)
- ☐ Consolidated Categorical Aid (Education Code Sections 64000(a))
- ☐ Special Education (Education Code Sections 56000-56885; 59000, 59300)

***OR***

2. Discrimination in programs receiving state financial assistance based on one of the following:

(Please check below):

- ☐ \_\_\_\_\_ Ethnic group identification
- ☐ \_\_\_\_\_ Religion
- ☐ \_\_\_\_\_ Age
- ☐ \_\_\_\_\_ Sex
- ☐ \_\_\_\_\_ Color
- ☐ \_\_\_\_\_ Physical or mental disability

**NATURE OF COMPLAINT** (Please describe in your own words the grounds of your complaint, including all names, dates, and places necessary for a complete understanding of the complaint.)

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NOTE: You may use additional pages to describe your complaint more fully if you so desire.

Have you spoken with any District personnel regarding this complaint? \_\_\_\_yes\_\_\_\_no

If so, what are their names?\_\_\_\_\_

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What was the result of the discussion?\_\_\_\_\_

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Signature\_\_\_\_\_

Date\_\_\_\_\_

## ALPINE UNION SCHOOL DISTRICT

### **Complaint Resolution Form** (Reference: District Policy 1312.3)

#### **STEP 1: ACTION TAKEN BY EMPLOYEE/PROGRAM SUPERVISOR:**

Date Complaint Resolution (Findings of Fact)

Received \_\_\_\_\_

Deadline Date for Report of Findings

- ☐ Complaint Dismissed/Withdrawn  
☐ Resolved by Employee/Supervisor  
☐ Referred to Compliance Officer

\_\_\_\_\_  
Signature of Supervisor

\_\_\_\_\_  
Date

#### **STEP 2: COMPLIANCE OFFICER'S FINDINGS AND ACTION**

Date Complaint Resolution (Findings of Fact)

Received \_\_\_\_\_

Deadline Date for Report of Findings

- ☐ Complaint Dismissed/Withdrawn  
☐ Resolved by Employee/Supervisor  
☐ Referred to Compliance Officer  
☐ Resolved by Compliance Officer & Complainant  
☐ Referred to Superintendent

\_\_\_\_\_  
Signature of Compliance Officer

\_\_\_\_\_  
Date

#### **STEP 3: SUPERINTENDENT'S FINDINGS AND ACTION**

Date Complaint Resolution (Findings of Fact)

Received \_\_\_\_\_

Deadline Date for Report of Findings

- ☐ Complaint Dismissed/Withdrawn  
☐ Resolved by Employee/Supervisor  
☐ Referred to Compliance Officer  
☐ Resolved by Compliance Officer & Complainant  
☐ Referred to Superintendent  
☐ Complaint Dismissed/Withdrawn  
☐ Resolved by Superintendent & Complainant  
☐ Referred to Governing Board

\_\_\_\_\_  
Signature of Superintendent

\_\_\_\_\_  
Date

#### **STEP 4: GOVERNING BOARD ACTION**

Date Complaint Resolution Received

Received \_\_\_\_\_

Deadline Date for Report of Findings

\_\_\_\_\_

Date of Meeting

\_\_\_\_\_

\_\_\_\_\_  
Signature of Board President or Governing Board Member

\_\_\_\_\_  
Date