

**Regulation 1312.3: Uniform Complaint Procedures**

**Status:** ADOPTED

**Original Adopted Date:** 04/04/2012 | **Last Revised Date:** 05/15/2023 | **Last Reviewed Date:** 05/15/2023

Except as the Governing Board may otherwise specifically provide in other district policies, these uniform complaint procedures (UCP) shall be used to investigate and resolve only the complaints specified in BP 1312.3.

**Compliance Officers**

The district designates the individual(s), position(s), or unit(s) identified below as responsible for coordinating the district's response to complaints and for complying with state and federal civil rights laws. The individual(s), position(s), or unit(s) also serve as the compliance officer(s) specified in AR 5145.3 - Nondiscrimination/Harassment a responsible for handling complaints regarding unlawful discrimination (such as discriminatory harassment, intimidation, or bullying). The compliance officer(s) shall receive and coordinate the investigation of complaints and shall ensure district compliance with law.

District Ombudsperson  
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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 investigate the complaint.

In no instance shall a compliance officer be assigned to a complaint in which the compliance officer has a bias or conflict of interest that would prohibit the fair investigation or resolution of the complaint. Any complaint against a compliance officer or that raises a concern about the compliance officer's ability to investigate the complaint fairly and without bias shall be filed with the Superintendent or Ombudsperson or designee who shall determine how the complaint will be investigated.

The Superintendent or designee shall ensure that employees assigned to investigate and resolve complaints receive training and are knowledgeable about the laws and programs at issue in the complaints to which they are assigned. Training provided to such employees shall cover current state and federal laws and regulations governing the program, applicable processes for investigating and resolving complaints, including those alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), applicable standards for reaching decisions on complaints, and appropriate corrective measures. Assigned employees may have access to legal counsel as determined by the Superintendent or Ombudsperson or designee.

The compliance officer or, if necessary, any appropriate administrator shall determine whether interim measures are necessary during and pending the result of an investigation. If interim measures are determined to be necessary, the compliance officer or the administrator shall consult with the Superintendent, the Superintendent's designee, or, if appropriate, the site principal to implement one or more interim measures. The interim measures shall remain in place until the compliance officer determines that they are no longer necessary or until the district issues its final written decision, whichever occurs first.

**Notifications**

The district's UCP policy and administrative regulation shall be posted in all district schools and offices, including staff lounges and student government meeting rooms. (Education Code 234.1)

In, addition, the Superintendent or designee shall annually provide written notification of the district's UCP to students, employees, parents/guardians of district students, district advisory committee members, school advisory committee members, appropriate private school officials or representatives, and other interested parties. ( 5 CCR 4622)

The notice shall include:

1. A statement that the district is primarily responsible for compliance with federal and state laws and regulations, including those related to prohibition of unlawful discrimination, harassment, intimidation, or bullying against any protected group and all programs and activities that are subject to UCP as identified in the section "Complaints Subject to UCP" in the accompanying Board policy
2. A statement that a complaint regarding student fees or the local control and accountability plan (LCAP) may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint
3. A statement that a student enrolled in a public school shall not be required to pay a fee for participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities
4. A statement that a complaint regarding student fees must be filed no later than one year from the date the alleged violation occurred
5. A statement that the district will post a standardized notice of the educational rights of foster youth, homeless students, former juvenile court school students now enrolled in the district, children of military families, migrant students, and immigrant students enrolled in a newcomer program, as specified in Education Code 48853, 48853.5, 49069.5, 51225.1, and 51225.2, and the complaint process
6. Identification of the responsible staff member(s), position(s), or unit(s) designated to receive complaints
7. A statement that complaints will be investigated in accordance with the district's UCP and a written decision will be sent to the complainant within 60 days from the receipt of the complaint, unless this time period is extended by written agreement of the complainant
8. A statement that the complainant has a right to appeal the district's decision to CDE by filing a written appeal, including a copy of the original complaint and the district's decision, within 15 days of receiving the district's decision
9. A statement advising the complainant of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable
10. A statement that copies of the district's UCP are available free of charge

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.61 shall be posted on the district web site and may be provided through district-supported social media, if available.

The Superintendent or Ombudsperson or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, have access to the relevant information provided in the district's policy, regulation, forms, and notices concerning the UCP.

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning the UCP shall be translated into that language, in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant UCP information for parents/guardians with limited English proficiency.

### **Filing of Complaint**

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.

All complaints shall be filed in writing and signed by the complainant. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint. (5 CCR 4600)

Complaints shall also be filed in accordance with the following rules, as applicable:

1. A complaint alleging district violation of applicable state or federal law or regulations governing the programs specified in the accompanying Board policy (item #1 of the section "Complaints Subject to UCP") may be filed by any individual, public agency, or organization. (5 CCR 4630)
2. Any complaint alleging noncompliance with law regarding the prohibition against student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance. A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school or with the Superintendent or Ombudsperson or designee. However, any such complaint shall be filed no later than one year from the date the alleged violation occurred. (Education Code 49013, 52075; CCR 4630)
3. A complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) may be filed only by a person who alleges that they personally suffered unlawful discrimination, or who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination. The complaint shall be initiated no later than six months from the date that the alleged unlawful discrimination occurred, or six months from the date that the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)
4. When a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.
5. When the complainant of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) or the alleged victim, when not the complainant, requests confidentiality, the compliance officer shall inform the complainant or victim that the request may limit the district's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, the district shall nevertheless take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.

### **Investigation of Complaint**

Within 10 business days after the compliance officer receives the complaint, the compliance officer shall begin an investigation into the complaint.

Within one business day of initiating the investigation, the compliance officer shall provide the complainant and/or the complainant's representative with the opportunity to present the information contained in the complaint to the compliance officer and shall notify the complainant and/or representative of the opportunity to present the compliance officer with any evidence, or information leading to evidence, to support the allegations in the complaint. Such evidence or information may be presented at any time during the investigation.

In conducting the investigation, the compliance officer shall collect all available documents and review all available records, notes, or statements related to the complaint, including any additional evidence or information received from the parties during the course of the investigation. The compliance officer shall individually interview all available witnesses with information pertinent to the complaint, and may visit any reasonably accessible location where the relevant actions are alleged to have taken place. At appropriate intervals, the compliance officer shall inform both parties of the status of the investigation.

To investigate a complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the compliance officer shall interview the alleged victim(s), any alleged offenders, and other relevant witnesses privately, separately, and in a confidential manner. As necessary, additional staff or legal counsel may conduct or support the investigation.

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation or engagement in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. Similarly, a respondent's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in a finding, based on evidence collected, that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

In accordance with law, the district shall provide the investigator with access to records and other information related to the allegation in the complaint and shall not in any way obstruct the investigation. Failure or refusal of the district to cooperate in the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

The compliance officer shall apply a "preponderance of the evidence" standard in determining the veracity of the factual allegations in a complaint. This standard is met if the allegation is more likely to be true than not.

### **Timeline for Final Decision**

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant, a written report, as described in section "Final Written Decision" below, within 60 calendar days of the district's receipt of the complaint. (5 CCR 4631)

For any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), the respondent shall be informed of any extension of the timeline agreed to by the complainant. The respondent also shall be sent the district's final written decision at the same time it is provided to the complainant.

### **Final Written Decision**

For all complaints, the decision shall include: (5 CCR 4631)

1. The findings of fact based on the evidence gathered. In reaching a factual determination, the following factors may be taken into account:
  - a. Statements made by any witnesses
  - b. The relative credibility of the individuals involved
  - c. How the complaining individual reacted to the incident
  - d. Any documentary or other evidence relating to the alleged conduct
  - e. Past instances of similar conduct by any alleged offenders
  - f. Past false allegations made by the complainant
2. The Conclusion(s) of law
3. Disposition of the complaint
4. The rationale for such a disposition

For complaints of retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the disposition of the complaint shall include a determination for each allegation as to whether retaliation or unlawful discrimination has occurred.

The determination of whether a hostile environment exists may involve consideration of the following:

- a. The manner in which the misconduct affected one or more students' education
- b. The type, frequency, and duration of the misconduct
- c. The relationship between the alleged victim(s) and offender(s)
- d. The number of persons engaged in the conduct and at whom the conduct was directed
- e. The size of the school, location of the incidents, and context in which they occurred
- f. Other incidents at the school involving different individuals

5. Corrective action(s), including any actions that have been taken or will be taken to address the allegations in the complaint and including, with respect to a student fees complaint, a remedy that comports with Education Code 49013 and 5 CCR 4600

For complaints of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the decision may, as required by law, include:

- a. The corrective actions imposed on the respondent
  - b. Individual remedies offered or provided to the complainant or another person who was the subject of the complaint, but this information should not be shared with the respondent
  - c. Systemic measures the school has taken to eliminate a hostile environment and prevent recurrence
6. Notice of the complainant's and respondent's right to appeal the district's decision to the CDE within 15 calendar days, and procedures to be followed for initiating such an appeal.

The decision may also include follow-up procedures to prevent recurrence or retaliation and for reporting any subsequent problems.

In consultation with district legal counsel, information about the relevant part of a decision may be communicated to a victim who is not the complainant and to other parties who may be involved in implementing the decision or are affected by the complaint, as long as the privacy of the parties is protected. In a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), notice of the district's decision to the alleged victim shall include information about any sanction to be imposed upon the respondent that relates directly to the alleged victim.

If the complaint involves a limited-English-proficient student or parent/guardian and the student involved is enrolled in a school at which 15 percent or more of the students speak a single primary language other than English, then the decision shall also be translated into that language pursuant to Education Code 48985. In all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

For complaints alleging unlawful discrimination based on state law (such as discriminatory harassment, intimidation, and bullying), the decision shall also include a notice to the complainant that:

1. The complainant may pursue available civil law remedies outside of the district's complaint procedures, including, seeking assistance from mediation centers or public/private interest attorneys, 60 calendar days after the filing of an appeal with the CDE. (Education Code 262.3)
2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law. (Education Code 262.3)
3. Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil Rights at [www.ed.gov/ocr](http://www.ed.gov/ocr) within 180 days of the alleged discrimination.

### **Corrective Actions**

When a complaint is found to have merit, the compliance officer shall adopt any appropriate corrective action permitted by law. Appropriate corrective actions that focus on the larger school or district environment may include, but are not limited to, actions to reinforce district policies; training for faculty, staff, and students, updates to school policies; or school climate surveys.

For complaints involving retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), appropriate remedies that may be offered to the victim but not communicated to the respondent may include, but are not limited to, the following:

1. Counseling
2. Academic support
3. Health services
4. Assignment of an escort to allow the victim to move safely about campus
5. Information regarding available resources and how to report similar incidents or retaliation
6. Separation of the victim from any other individuals involved, provided the separation does not penalize the victim
7. Restorative justice
8. Follow-up inquiries to ensure that the conduct has stopped and there has been no retaliation

For complaints involving retaliation, unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), appropriate corrective actions that focus on a student offender may include, but are not limited to, the following:

1. Transfer from a class or school as permitted by law
2. Parent/guardian conference
3. Education regarding the impact of the conduct on others
4. Positive behavior support
5. Referral to a student success team
6. Denial of participation in extracurricular or co-curricular activities or other privileges as permitted by law
7. Disciplinary action, such as suspension or expulsion, as permitted by law

When an employee is found to have committed retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

The district may also consider training and other interventions for the larger school community to ensure that students, staff, and parents/guardians understand the types of behavior that constitute unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), that the district does not tolerate it, and how to report and respond to it.

When a complaint is found to have merit, an appropriate remedy shall be provided to the complainant or other affected person.

However, if a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges, physical education instructional minutes for students in elementary schools, or any requirement related to the LCAP is found to have merit, the district shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education. (Education Code 49013, 51223, 52075)

For complaints alleging noncompliance with the laws regarding student fees, the district shall attempt in good faith, by engaging in reasonable efforts, to identify and fully reimburse all affected students and parents/guardians who paid the unlawful student fees within one year prior to the filing of the complaint. (Education Code 49013; 5 CCR 4600)

## Appeals to the California Department of Education

Any complainant who is dissatisfied with the district's final written decision on a complaint regarding any specified federal or state educational program subject to UCP may file an appeal in writing with the CDE within 15 days of receiving the district's decision. ( 5 CCR 4632)

The complainant shall specify the basis for the appeal of the decision and how the facts of the district's decision are incorrect and/or the law has been misapplied. The appeal shall be sent to CDE with with a copy of the original locally filed complaint and a copy of the district's decision in that complaint . (5 CCR 4632)

When a respondent in any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying) is dissatisfied with the district's final written decision, the respondent, in the same manner as the complainant, may file an appeal with CDE.

Upon notification by the CDE that the district's decision has been appealed, the Superintendent or Ombudsperson or designee shall forward the following documents to the CDE: (5 CCR 4633)

1. A copy of the original complaint
2. A copy of the decision
3. A summary of the nature and extent of the investigation conducted by the district, if not covered by the decision
4. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator
5. A report of any action taken to resolve the complaint
6. A copy of the district's uniform complaint procedures
7. Other relevant information requested by the CDE

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**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

### State References

### Description

2 CCR 11023	Harassment and discrimination prevention and correction - <a href="https://simbli.eboardsolutions.com/SU/haAgKnrQhVJbslsh34hY5zslsh5Q==">https://simbli.eboardsolutions.com/SU/haAgKnrQhVJbslsh34hY5zslsh5Q==</a>
5 CCR 15580-15584	Child nutrition programs complaint procedures
5 CCR 3200-3205	Special education compliance complaints
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4600-4687	Uniform complaint procedures and Williams complaints
5 CCR 4690-4694	Complaints regarding health and safety issues in license-exempt preschool programs
5 CCR 4900-4965	Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
Ed. Code 18100-18203	School libraries - <a href="https://simbli.eboardsolutions.com/SU/gEKFVCshY2uysLTMWE06ug==">https://simbli.eboardsolutions.com/SU/gEKFVCshY2uysLTMWE06ug==</a>
Ed. Code 200-262.4	Prohibition of discrimination - <a href="https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAAbNL6kKkgxQ==">https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAAbNL6kKkgxQ==</a>
Ed. Code 32280-32289.5	School safety plans - <a href="https://simbli.eboardsolutions.com/SU/gz33QjVcfk6ufvjfPS84Kw==">https://simbli.eboardsolutions.com/SU/gz33QjVcfk6ufvjfPS84Kw==</a>
Ed. Code 35186	Williams uniform complaint procedures - <a href="https://simbli.eboardsolutions.com/SU/MDiv2vEqYgd1u6vWMYFnhA==">https://simbli.eboardsolutions.com/SU/MDiv2vEqYgd1u6vWMYFnhA==</a>

Ed. Code 46015	Parental leave for students - <a href="https://simbli.eboardsolutions.com/SU/A5q1Ee4yrt4KmDTVXBHEkg==">https://simbli.eboardsolutions.com/SU/A5q1Ee4yrt4KmDTVXBHEkg==</a>
Ed. Code 48645.7	Juvenile court schools - <a href="https://simbli.eboardsolutions.com/SU/AcRvAUJF7EplusoGlrM4VsbZw==">https://simbli.eboardsolutions.com/SU/AcRvAUJF7EplusoGlrM4VsbZw==</a>
Ed. Code 48853-48853.5	Foster youth - <a href="https://simbli.eboardsolutions.com/SU/QU2SE6lz7doZOGCpluslbtAfg==">https://simbli.eboardsolutions.com/SU/QU2SE6lz7doZOGCpluslbtAfg==</a>
Ed. Code 48985	Notices to parents in language other than English - <a href="https://simbli.eboardsolutions.com/SU/LHS9yg0UBYa76W1AygydnA==">https://simbli.eboardsolutions.com/SU/LHS9yg0UBYa76W1AygydnA==</a>
Ed. Code 49010-49013	Student fees - <a href="https://simbli.eboardsolutions.com/SU/daJBvwak5yr7i9e1yKfzsA==">https://simbli.eboardsolutions.com/SU/daJBvwak5yr7i9e1yKfzsA==</a>
Ed. Code 49060-49079	Student records - <a href="https://simbli.eboardsolutions.com/SU/48PbpM8vuGlggyF7weQsbw==">https://simbli.eboardsolutions.com/SU/48PbpM8vuGlggyF7weQsbw==</a>
Ed. Code 49069.5	Records of foster youth - <a href="https://simbli.eboardsolutions.com/SU/7EZSzhTOVeZ1vxC4vqntnA==">https://simbli.eboardsolutions.com/SU/7EZSzhTOVeZ1vxC4vqntnA==</a>
Ed. Code 49490-49590	Child nutrition programs - <a href="https://simbli.eboardsolutions.com/SU/HpsplusCiBj7dmHtQtmlGieZQ==">https://simbli.eboardsolutions.com/SU/HpsplusCiBj7dmHtQtmlGieZQ==</a>
Ed. Code 49701	Provisions of the Interstate Compact on Educational Opportunities for Military Children - <a href="https://simbli.eboardsolutions.com/SU/EHaMyWplus22XilM2rKzLDgQA==">https://simbli.eboardsolutions.com/SU/EHaMyWplus22XilM2rKzLDgQA==</a>
Ed. Code 51210	Course of study for grades 1-6 - <a href="https://simbli.eboardsolutions.com/SU/JykgKwplusslshvJND2xzQcl3slshslshw==">https://simbli.eboardsolutions.com/SU/JykgKwplusslshvJND2xzQcl3slshslshw==</a>
Ed. Code 51222	Physical education - <a href="https://simbli.eboardsolutions.com/SU/g20nvEDdHGPfUCs0pymqlA==">https://simbli.eboardsolutions.com/SU/g20nvEDdHGPfUCs0pymqlA==</a>
Ed. Code 51223	Physical education; elementary schools - <a href="https://simbli.eboardsolutions.com/SU/kjyahxIV5sXVmf5NRnPFgQ==">https://simbli.eboardsolutions.com/SU/kjyahxIV5sXVmf5NRnPFgQ==</a>
Ed. Code 51225.1-51225.2	Foster youth, homeless children, former juvenile court school students; course credits; graduation requirements - <a href="https://simbli.eboardsolutions.com/SU/ESJhsNSpOyN75E8CplusIXPNg==">https://simbli.eboardsolutions.com/SU/ESJhsNSpOyN75E8CplusIXPNg==</a>
Ed. Code 51226-51226.1	Career technical education - <a href="https://simbli.eboardsolutions.com/SU/ESJhsNSpOyN75E8CplusIXPNg==">https://simbli.eboardsolutions.com/SU/ESJhsNSpOyN75E8CplusIXPNg==</a>
Ed. Code 51228.1-51228.3	Course periods without educational content - <a href="https://simbli.eboardsolutions.com/SU/ESJhsNSpOyN75E8CplusIXPNg==">https://simbli.eboardsolutions.com/SU/ESJhsNSpOyN75E8CplusIXPNg==</a>
Ed. Code 52059.5	Statewide system of support - <a href="https://simbli.eboardsolutions.com/SU/FeOETX8ebgjS8BNeW4qTGA==">https://simbli.eboardsolutions.com/SU/FeOETX8ebgjS8BNeW4qTGA==</a>
Ed. Code 52060-52077	Local control and accountability plan - <a href="https://simbli.eboardsolutions.com/SU/kjIplusPzLslshlt7rP0BfXZYJuQ==">https://simbli.eboardsolutions.com/SU/kjIplusPzLslshlt7rP0BfXZYJuQ==</a>
Ed. Code 52075	Complaint for lack of compliance with local control and accountability plan requirements - <a href="https://simbli.eboardsolutions.com/SU/8IFk3KsEOM9tKoqluFWBwQ==">https://simbli.eboardsolutions.com/SU/8IFk3KsEOM9tKoqluFWBwQ==</a>
Ed. Code 52300-52462	Career technical education - <a href="https://simbli.eboardsolutions.com/SU/W5QWdzpluslzuXHkwAarOug5w==">https://simbli.eboardsolutions.com/SU/W5QWdzpluslzuXHkwAarOug5w==</a>
Ed. Code 52500-52617	Adult schools - <a href="https://simbli.eboardsolutions.com/SU/lrB2FILBOprTRYP9uEplusSslshA==">https://simbli.eboardsolutions.com/SU/lrB2FILBOprTRYP9uEplusSslshA==</a>
Ed. Code 54400-54425	Compensatory education programs - <a href="https://simbli.eboardsolutions.com/SU/FuvMslshOo2WtsLQ8AKjJIYOw==">https://simbli.eboardsolutions.com/SU/FuvMslshOo2WtsLQ8AKjJIYOw==</a>
Ed. Code 54440-54445	Migrant education - <a href="https://simbli.eboardsolutions.com/SU/56YV98b2cqpluspQnlpp2KrGg==">https://simbli.eboardsolutions.com/SU/56YV98b2cqpluspQnlpp2KrGg==</a>
Ed. Code 54460-54529	Compensatory education programs - <a href="https://simbli.eboardsolutions.com/SU/FeT7h5o0rDzIcJFvpJcSuQ==">https://simbli.eboardsolutions.com/SU/FeT7h5o0rDzIcJFvpJcSuQ==</a>
Ed. Code 59000-59300	Special schools and centers - <a href="https://simbli.eboardsolutions.com/SU/KxWrplus7BfgFswbHt62ZoaCw==">https://simbli.eboardsolutions.com/SU/KxWrplus7BfgFswbHt62ZoaCw==</a>



Ed. Code 64000-64001	Consolidated application process; school plan for student achievement - <a href="https://simbli.eboardsolutions.com/SU/HpsplusCiBj7dmHtQtmlGieZQ==">https://simbli.eboardsolutions.com/SU/HpsplusCiBj7dmHtQtmlGieZQ==</a>
Ed. Code 65000-65001	School site councils - <a href="https://simbli.eboardsolutions.com/SU/0EApLzMGH2XevzVUbza2cw==">https://simbli.eboardsolutions.com/SU/0EApLzMGH2XevzVUbza2cw==</a>
Ed. Code 8200-8488	Child care and development programs - <a href="https://simbli.eboardsolutions.com/SU/WailxWdWXPYHcdWpmOa61w==">https://simbli.eboardsolutions.com/SU/WailxWdWXPYHcdWpmOa61w==</a>
Ed. Code 8500-8538	Adult basic education - <a href="https://simbli.eboardsolutions.com/SU/zBCOmaotzOlz4nDHL0slsh82Q==">https://simbli.eboardsolutions.com/SU/zBCOmaotzOlz4nDHL0slsh82Q==</a>
Gov. Code 11135	Prohibition of discrimination - <a href="https://simbli.eboardsolutions.com/SU/PcUFWeMcCJnzBrKAL0EtfQ==">https://simbli.eboardsolutions.com/SU/PcUFWeMcCJnzBrKAL0EtfQ==</a>
Gov. Code 12900-12996	Fair Employment and Housing Act - <a href="https://simbli.eboardsolutions.com/SU/kYDZnuplusf3qJV95L7E0pUzw==">https://simbli.eboardsolutions.com/SU/kYDZnuplusf3qJV95L7E0pUzw==</a>
H&S Code 1596.792	California Child Day Care Act; general provisions and definitions - <a href="https://simbli.eboardsolutions.com/SU/mQklFgb6c7LDiplusv1Sq4Ugg==">https://simbli.eboardsolutions.com/SU/mQklFgb6c7LDiplusv1Sq4Ugg==</a>
H&S Code 1596.7925	California Child Day Care Act; health and safety regulations - <a href="https://simbli.eboardsolutions.com/SU/68l8yplus9z3lVkoLk4dh887g==">https://simbli.eboardsolutions.com/SU/68l8yplus9z3lVkoLk4dh887g==</a>
Pen. Code 422.55	Definition of hate crime - <a href="https://simbli.eboardsolutions.com/SU/EXmP7bT1slshj3qOjaM9qTkHA==">https://simbli.eboardsolutions.com/SU/EXmP7bT1slshj3qOjaM9qTkHA==</a>
Pen. Code 422.6	Crimes; harassment - <a href="https://simbli.eboardsolutions.com/SU/vVSJrxnKuuauWDfn4F58wg==">https://simbli.eboardsolutions.com/SU/vVSJrxnKuuauWDfn4F58wg==</a>

**Federal References**

	<b>Description</b>
20 USC 1221	Application of laws
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
20 USC 6301-6576	Title I Improving the Academic Achievement of the Disadvantaged
20 USC 6801-7014	Title III language instruction for limited English proficient and immigrant students
28 CFR 35.107	Nondiscrimination on basis of disability; complaints
29 USC 794	Rehabilitation Act of 1973; Section 504
34 CFR 100.3	Prohibition of discrimination on basis of race, color or national origin
34 CFR 104.7	Section 504; Designation of responsible employee and adoption of grievances procedures
34 CFR 106.1-106.82	Nondiscrimination on the basis of sex in education programs
34 CFR 106.30	Discrimination on the basis of sex in education programs and activities; definitions
34 CFR 106.44	Recipient's response to sexual harassment
34 CFR 106.45	Grievance process for formal complaints of sexual harassment
34 CFR 106.8	Designation of coordinator; dissemination of policy, and adoption of grievance procedures
34 CFR 110.25	Notification of nondiscrimination on the basis of age
34 CFR 99.1-99.67	Family Educational Rights and Privacy
42 USC 11431-11435	McKinney-Vento Homeless Assistance Act
42 USC 12101-12213	Americans with Disabilities Act
42 USC 2000d-2000e-17	Title VI and Title VII Civil Rights Act of 1964, as amended
42 USC 2000h-2-2000h-6	Title IX of the Civil Rights Act of 1964
42 USC 6101-6107	Age Discrimination Act of 1975

<b>Management Resources References</b>	<b>Description</b>
California Department of Education Publication	Uniform Complaint Procedure 2021-22 Program Instrument
California Department of Education Publication	Sample UCP Board Policies and Procedures
U.S. DOE, Office for Civil Rights Publication	Part 1: Questions and Answers Regarding the Department's Title IX Regulations, January 2021
U.S. DOE, Office for Civil Rights Publication	Questions and Answers on the Title IX Regulations on Sexual Harassment, July 2021
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014
U.S. DOJ Publication	Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 2007
Website	CSBA District and County Office of Education Legal Services - <a href="https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==">https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==</a>
Website	Student Privacy Policy Office - <a href="https://simbli.eboardsolutions.com/SU/vQvG7O4R64DgKeNodKIAAQ==">https://simbli.eboardsolutions.com/SU/vQvG7O4R64DgKeNodKIAAQ==</a>
Website	U.S. Department of Agriculture - <a href="https://simbli.eboardsolutions.com/SU/njpdBqDfo1Mslsh1ZLplusszTslshRw==">https://simbli.eboardsolutions.com/SU/njpdBqDfo1Mslsh1ZLplusszTslshRw==</a>
Website	California Department of Social Services - <a href="https://simbli.eboardsolutions.com/SU/TEIWOAAhRHb4PYNSjlzKIQ==">https://simbli.eboardsolutions.com/SU/TEIWOAAhRHb4PYNSjlzKIQ==</a>
Website	U.S. Department of Justice - <a href="https://simbli.eboardsolutions.com/SU/BPwrkTmFhG0SXt3hKCVuBw==">https://simbli.eboardsolutions.com/SU/BPwrkTmFhG0SXt3hKCVuBw==</a>
Website	California Department of Education - <a href="https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==">https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==</a>
Website	CSBA - <a href="https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==">https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==</a>
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Website	California Civil Rights Department - <a href="https://simbli.eboardsolutions.com/SU/RRvNseNogmlnMLy18K40jw==">https://simbli.eboardsolutions.com/SU/RRvNseNogmlnMLy18K40jw==</a>

<b>Cross References</b>	<b>Description</b>
0410	Nondiscrimination In District Programs And Activities - <a href="https://simbli.eboardsolutions.com/SU/KsjDUyplusN6usWAHaLYsWSplusg==">https://simbli.eboardsolutions.com/SU/KsjDUyplusN6usWAHaLYsWSplusg==</a>
0420	School Plans/Site Councils - <a href="https://simbli.eboardsolutions.com/SU/t7rhA74A3xXkJuyTeHau2A==">https://simbli.eboardsolutions.com/SU/t7rhA74A3xXkJuyTeHau2A==</a>
0420.41	Charter School Oversight - <a href="https://simbli.eboardsolutions.com/SU/baMoNM7VX45JR695sMGDBA==">https://simbli.eboardsolutions.com/SU/baMoNM7VX45JR695sMGDBA==</a>
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0430	Comprehensive Local Plan For Special Education - <a href="https://simbli.eboardsolutions.com/SU/aetHINCDjVoTLld8stHRCa==">https://simbli.eboardsolutions.com/SU/aetHINCDjVoTLld8stHRCa==</a>
0450	Comprehensive Safety Plan - <a href="https://simbli.eboardsolutions.com/SU/3sEgordpNAd9pitTHk0IIA==">https://simbli.eboardsolutions.com/SU/3sEgordpNAd9pitTHk0IIA==</a>
0460	Local Control And Accountability Plan - <a href="https://simbli.eboardsolutions.com/SU/aNEmlN07KZCzJwYAsNijAA==">https://simbli.eboardsolutions.com/SU/aNEmlN07KZCzJwYAsNijAA==</a>
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1220 Citizen Advisory Committees -  
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1312.1 Complaints Concerning District Employees -  
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4112.9 Employee Notifications -  
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<https://simbli.eboardsolutions.com/SU/JPgkejH10RWqtPkKbr0JVg==>

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<https://simbli.eboardsolutions.com/SU/BWkeN4McHiPJshe7LmjMEg==>

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5137 Positive School Climate - <https://simbli.eboardsolutions.com/SU/mH9XP7TAyfs5gG16b4MYyg==>

5141.4 Child Abuse Prevention And Reporting - <https://simbli.eboardsolutions.com/SU/hlg1Ny7iuXwRzLmsrhwEIA==>

5144 Discipline - <https://simbli.eboardsolutions.com/SU/arzB6j956FQB9ZVpuPXrdg==>

5144.1 Suspension And Expulsion/Due Process - <https://simbli.eboardsolutions.com/SU/cL7VGO0gOAB8Uq0LwYnlVQ==>

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5145.3 Nondiscrimination/Harassment - <https://simbli.eboardsolutions.com/SU/HS2jqQmcopyVcOPcO1cA==>

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5145.71 Title IX Sexual Harassment Complaint Procedures - <https://simbli.eboardsolutions.com/SU/d0GfkpEwPcjQOBnt5WbT4Q==>

5145.9 Hate-Motivated Behavior - <https://simbli.eboardsolutions.com/SU/9VqcQFGQvtC93eHXkr8uFg==>

5146	Married/Pregnant/Parenting Students - <a href="https://simbli.eboardsolutions.com/SU/YmJslshJcPslsh3ZefYqmjlGdfiw==">https://simbli.eboardsolutions.com/SU/YmJslshJcPslsh3ZefYqmjlGdfiw==</a>
5148	Child Care And Development - <a href="https://simbli.eboardsolutions.com/SU/FINngEAOslshzGtlysh9QpjVg==">https://simbli.eboardsolutions.com/SU/FINngEAOslshzGtlysh9QpjVg==</a>
6142.1	Sexual Health And HIV/AIDS Prevention Instruction - <a href="https://simbli.eboardsolutions.com/SU/eAplus10cSE8xpG5pMJfyDMpw==">https://simbli.eboardsolutions.com/SU/eAplus10cSE8xpG5pMJfyDMpw==</a>
6142.7	Physical Education And Activity - <a href="https://simbli.eboardsolutions.com/SU/t7GiKDEnaj4L2DYc76iupA==">https://simbli.eboardsolutions.com/SU/t7GiKDEnaj4L2DYc76iupA==</a>
6145	Extracurricular And Cocurricular Activities - <a href="https://simbli.eboardsolutions.com/SU/VbMmUulRE4mNN5BvoFh0Ag==">https://simbli.eboardsolutions.com/SU/VbMmUulRE4mNN5BvoFh0Ag==</a>
6145.2	Athletic Competition - <a href="https://simbli.eboardsolutions.com/SU/NzSssODr4DFgKRGKKbxC5A==">https://simbli.eboardsolutions.com/SU/NzSssODr4DFgKRGKKbxC5A==</a>
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6152	Class Assignment - <a href="https://simbli.eboardsolutions.com/SU/E9WhsaCplpT7bJX5yjjyveg==">https://simbli.eboardsolutions.com/SU/E9WhsaCplpT7bJX5yjjyveg==</a>
6159	Individualized Education Program - <a href="https://simbli.eboardsolutions.com/SU/hUal4cs8GvTNljObCvMD1w==">https://simbli.eboardsolutions.com/SU/hUal4cs8GvTNljObCvMD1w==</a>
6159.1	Procedural Safeguards And Complaints For Special Education - <a href="https://simbli.eboardsolutions.com/SU/PTDewfl7ZdsI9fr8hmwXrg==">https://simbli.eboardsolutions.com/SU/PTDewfl7ZdsI9fr8hmwXrg==</a>
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6159.3	Appointment Of Surrogate Parent For Special Education Students - <a href="https://simbli.eboardsolutions.com/SU/oWPIDDOaHFKVgkjrjDslshjyA==">https://simbli.eboardsolutions.com/SU/oWPIDDOaHFKVgkjrjDslshjyA==</a>
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6171	Title I Programs - <a href="https://simbli.eboardsolutions.com/SU/slshDtGUqzWBLimnxxDQVslsh31g==">https://simbli.eboardsolutions.com/SU/slshDtGUqzWBLimnxxDQVslsh31g==</a>
6173	Education For Homeless Children - <a href="https://simbli.eboardsolutions.com/SU/6ass2dVchksAgRTWD2slshaog==">https://simbli.eboardsolutions.com/SU/6ass2dVchksAgRTWD2slshaog==</a>
6173.1	Education For Foster Youth - <a href="https://simbli.eboardsolutions.com/SU/WW8plus8ZVtEZLLpU2ljJS7pg==">https://simbli.eboardsolutions.com/SU/WW8plus8ZVtEZLLpU2ljJS7pg==</a>
6178	Career Technical Education - <a href="https://simbli.eboardsolutions.com/SU/IN1mbIFLptFy2OaszFg2slshQ==">https://simbli.eboardsolutions.com/SU/IN1mbIFLptFy2OaszFg2slshQ==</a>
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6200	Adult Education - <a href="https://simbli.eboardsolutions.com/SU/0yTDG7dLfRjdgxnB4EepMA==">https://simbli.eboardsolutions.com/SU/0yTDG7dLfRjdgxnB4EepMA==</a>
9000	Role Of The Board - <a href="https://simbli.eboardsolutions.com/SU/tc0CXLUQ6UslshQzDJJKTBgBA==">https://simbli.eboardsolutions.com/SU/tc0CXLUQ6UslshQzDJJKTBgBA==</a>
9011	Disclosure Of Confidential/Privileged Information - <a href="https://simbli.eboardsolutions.com/SU/suWplusUPg6EIRnmXLrMFTCA==">https://simbli.eboardsolutions.com/SU/suWplusUPg6EIRnmXLrMFTCA==</a>
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