

Uniform Complaint Procedure

For students, employees, parents or guardians of its students, school and district advisory committees, appropriate private school officials or representatives, and other interested parties

Scotia Union School District has the primary responsibility to insure compliance with applicable state and federal laws and regulations and has established procedures to address allegations of unlawful discrimination and complaints alleging violation of state or federal laws governing educational programs.

Scotia Union School District shall investigate and seek to resolve complaints using policies and procedures known as the Uniform Complaint Procedures (UCP) adopted by our local board. Unlawful discrimination, harassment, intimidation, or bullying complaints may be based on actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Penal Code 422.55, or Government Code 11135, or based on association with a person or group with one or more of these actual or perceived characteristics, in any program or activity that receives or benefits from 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, Consolidated Categorical Aid Programs, Migrant Education, Career Technical Education, Child Care and Developmental Programs, Child Nutrition Programs, Special Education Programs, implementation of the Local Control Funding Formula and Safety Planning Requirements or alleging the district's failure to comply with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities.

Complaints must be filed in writing with the following compliance officer:

Superintendent/Principal, 417 Church Street #217, Scotia, CA 95565, (707) 764-2212

Complaints alleging discrimination must be filed within six (6) months from the date the alleged discrimination occurred or the date the complainant first obtained knowledge of the facts of the alleged discrimination, 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 sixty (60) day time period may be extended by written agreement of the complainant. The LEA person responsible for investigating the 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 LEA's Decision to the California Department of Education (CDE) by filing a written appeal within 15 days of receiving the LEA's Decision. The appeal must include a copy of the complaint filed with the LEA and a copy of the LEA's Decision.

Civil law remedies may be available under state or federal discrimination 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 LEA'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 Scotia Union School District's UCP policy and complaint procedures shall be available free of charge.

PROCEDURES

The Board acknowledges and respects students and employee rights to privacy. Discrimination complaints shall be investigated in a manner that protects the confidentiality of the parties and the facts. This includes keeping the identity of the complainant confidential except to the extent necessary to carry out the investigation, as determined by the superintendent or designee on a case-by-case basis. The board prohibits retaliation in any form for the filing of a complaint, the reporting of instances of alleged discrimination, or for participating in complaint procedures. Such participation shall not in any way affect the status, grades, or work assignment of the Complainant.

The Superintendent shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. Such employees may have access to legal counsel as determined by the superintendent or designee.

The Board recognizes that a neutral mediator can often suggest an early compromise that is agreeable to all parties in a dispute. The Superintendent shall ensure that the mediation results are consistent with state and federal laws and regulations. Use of mediation does not extend the time line for investigation and resolution of complaints unless the Complainant agrees, in writing, to the extension.

STEP 1: FILING OF A COMPLAINT

Complainants should submit complaints in writing to the Superintendent/Principal of Scotia Union School District. The Superintendent/Principal shall be considered the representative of the District for the purposes of receiving and coordinating responses to complaints and related correspondence regarding this policy. If you are unable to put a complaint in writing due to a condition such as illiteracy or disabilities, district staff will help you file the complaint.

Complaints alleging unlawful discrimination must be initiated no later than six months from the date when the alleged discrimination occurred or when you first obtained knowledge of the facts, unless the time for filing is extended by the superintendent, upon written request by you stating the reason for the extension.

The Superintendent/Principal will acknowledge receipt of the complaint and refer it to the appropriate site or district office within five days, notifying the complainant of the person to whom it is being referred.

STEP 2: INVESTIGATION OF COMPLAINT

Each Complaint shall be investigated by the appropriate site or district office and shall be resolved within sixty days of the original receipt of the written complaint unless an extension of the timeline has been agreed upon in writing by you. The site or district shall:

- Obtain statements from you and from the other individuals who were witnesses to the alleged violation or who can provide relevant information concerning the alleged violation. The investigation may include an opportunity for the people in the dispute to meet and discuss the dispute.
- Review documents that may provide information relevant to the alleged violation.

STEP 3: DISTRICT RESPONSE

A written report of the district's decision is prepared and sent to the Complainant within sixty calendar days of receipt of the complaint. The report contains:

- Findings and disposition of the complaint.
- Corrective actions, if any.
- Rationale for the findings, along with any supporting documentation.
- Notice of the right to appeal the decision to the California Department of Education within 15 days and the procedures to be followed for the appeal.
- In a discrimination complaint, notice of the right to seek civil law remedies no sooner than sixty days have elapsed since filing an appeal with CDE, with the exception of injunctive relief, for which the moratorium does not apply.

Revised 8/29/2016