

How to Submit a Complaint:

Any person, organization or public agency may mail, fax or email a written and signed UCP complaint to:

Kish Curtis, Compliance Officer
San Pasqual Valley Unified School District
676 Baseline Rd
Winterhaven, CA 92283
Fax (760) 572-0711
kcurtis@spvusd.org

Any person with a disability or who is unable to prepare a written complaint can receive assistance from the site administrator/ designee or from the Compliance Office at (760) 572- 0222.

The district assures confidentiality to the maximum extent possible. Complainants are protected from retaliation. The district prohibits retaliation against anyone who files a complaint or participates in the complaint investigation process.

Pursuant to E.C. §262.3, complainants are advised civil law remedies, including but not limited to, injunctions, restraining orders or other remedies/orders that may be available under state or federal discrimination, harassment, intimidation, or bullying laws if applicable.

A copy of the District's UCP policy and complaint procedures shall be available free of charge. For UCP related questions, contact Ms. Kish Curtis, UCP Coordinator at (760) 572-0222.

Complaint Investigation And Response:

Each complaint is investigated by the appropriate office knowledgeable about applicable laws, programs and compliance per UCP policies/procedures. The investigation and District response:

1. Provides an opportunity for complainant and/or a duly authorized representative, and District personnel to present information relevant to the complaint.
2. Obtains relevant information from other persons or witnesses who can provide evidence.
3. Reviews related documents.
4. Results in a written investigation report in English or in the primary language of the complainant within 60 days from the date of receipt of the written complaint (unless the complainant agrees in writing to extend the investigative timeline) including findings and conclusions for each allegation based on the evidence gathered, corrective actions, if applicable; and
5. Provides notice of appeal rights and procedures.

How to Appeal:

District decisions/findings regarding programs and activities subject to UCP may be appealed by complainants to the State by filing a written appeal within 30 days of the date of the district's investigation report. The appeal must explain the basis for appealing the decision and include a copy of the original complaint and the district's investigation report. The appeal should be sent to:

California Department of Education 1430 N
Street Sacramento, CA 95814
<http://www.cde.ca.gov/re/cp/uc>

The 60-day timeline for investigation and District response shall begin when the written complaint is received.

SAN PASQUAL VALLEY UNIFIED SCHOOL DISTRICT

Uniform Complaint Procedures (UCP)



Why This Brochure?

This is annual notice to all stakeholders that the District has primary responsibility to ensure compliance with applicable state and federal laws and regulations, and shall investigate complaints alleging failure to comply with those including, but not limited to allegations of unlawful discrimination, harassment, intimidation or bullying against any protected group or noncompliance with laws relating to all programs and activities subject to UCP cited in this brochure. The District shall seek to resolve complaints in accordance with procedures in California Code of Regulations §§4600-4694 and District policies/procedures, including retaliation for participation in the UCP process and/or in appeals of District investigation report regarding such complaints.

Standardized notice of educational rights and complaint processes for pupils in foster care, pupils who are homeless, former juvenile court pupils now enrolled in the District, and pupils in military families is posted as specified in Education Codes (EC) §§48645.7, 48853, 48853.5, 49069.5, 51225.1 and 51225.2.

Protected Groups Covered:

Allegations of unlawful discrimination, harassment, intimidation or bullying of students based on protected groups, set forth in Penal Code §422.55, EC §§200, 220, and Government Code §11135 include actual or perceived sex, sexual orientation, gender, gender identity, gender expression, race or ethnicity, ethnic group identification, ancestry, nationality, national origin, immigration status, religion, color, mental or physical disability, age, or based on a person's association with a person or group with one or more of these actual or perceived categories, in any program or activity it conducts or to which it provides significant assistance. These complaints must be filed within six months from the date the alleged incident occurred or the date when knowledge of the facts of the alleged incident was first obtained. Otherwise, complaints shall be filed no later than one year from the alleged violation's date.

UCP Jurisdiction:

- Adult education (§§8500-8538, 52334.7, 52500-52617)
- After school education and safety (§§8482-8484.65)
- Agricultural career technical education (§§52460-52462)
- Compensatory education (§54400)
- Consolidated categorical aid programs [34 CFR §§299.10- 12, §64000(a)]
- Migrant child education (§§54440-54445)
- Career technical and technical education and career technical and technical training programs (§§52300-52462)
- Child care and development programs (§§ 8200-8498)
- Every Student Succeeds Act (20 United States Code §6301 et seq.; EC §52059)
- Discrimination, harassment, intimidation or bullying of protected groups under §§200, 220 and §11135 of the Government Code, including actual or perceived characteristics set forth in §422.55 of the Penal Code, 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 an educational institution, as defined in §210.3, that is funded directly by, or that receives or benefits from, any state financial assistance. (related to employee-to-student, student-to-student, student-to-employee, third party to student, employee-to-third party)
- Accommodations for pregnant and parenting pupils, including reasonable accommodations for lactating pupils (§§46015, 222)
- Educational and graduation rights of foster youth, homeless youth, and other youth (e.g., former juvenile court school pupils, pupils from military families, newcomers and migratory education students) (§§48645.7, 48853, 48853.5, 49069.5, 51225.1, 51225.2)
- Pupil Fees (§§49010-49013)
- Courses periods without educational content (§§51228.1- 51228.3)
- Physical education instructional minutes (§51223)
- Local control and accountability plans (LCAP) (§52075)
- Regional occupational centers and programs (§§52300- 52334.7)
- School plans for student achievement (§64001)
- School site councils (§65000)
- School safety plans (§§32280-32289)
- State preschools (§§8235-8239.1)

- Deficiencies related to preschool health and safety issues for a California state preschool program exempt from licensing (5 CCR §1596.7925, EC §8235.5); per public notices posted for applicable classrooms. Complaint forms can be obtained in those schools or at achieve.lausd.net/eeco.
- Any other state or federal educational program the State Superintendent of Public Instruction or designee deems appropriate

A pupil enrolled in a school in the District shall not be required to pay a pupil fee for participation in an educational activity. Pupil fees are fees charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or extracurricular activity, regardless of whether the course or activity is elective or compulsory or is for credit; 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; 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 may be filed with the principal of a school, the Superintendent or designee.

A complaint may be filed anonymously if it provides evidence or information leading to evidence to support an allegation of noncompliance, including pupil fees and LCAP complaints.

The District will attempt in good faith to engage in reasonable efforts to identify and fully reimburse all pupils, parents/guardians who paid a pupil fee within one year prior to the filing of the complaint.

If merit is found in a complaint, a remedy shall be provided to the affected pupil in cases regarding course periods without educational content, reasonable accommodations to a lactating pupil, education of pupils in foster care, pupils who are homeless, former juvenile court pupils now enrolled in our school district and/or pupils in military families; a remedy shall be provided to all affected pupils and parents/guardians in cases involving pupil fees, physical education instructional minutes and/or LCAPs.