



LOS ANGELES UNIFIED SCHOOL DISTRICT
POLICY BULLETIN

TITLE: Uniform Complaint Procedures (UCP)
NUMBER: BUL-5159.4
ISSUER: David Holmquist, General Counsel
 Office of General Counsel
DATE: November 14, 2014

ROUTING
 All Employees

POLICY: The Los Angeles Unified School District (District) has the primary responsibility to ensure compliance with applicable state and federal laws and regulations, and shall investigate complaints alleging failure to comply with those laws and regulations, alleging discrimination, harassment, intimidation, and/or bullying, alleging unauthorized charging of pupil fees for educational activities or alleging failure to comply with legal requirements under the Local Control and Accountability Plan (LCAP). The District shall seek to resolve those complaints in accordance with the procedures set out in §§4600-4687 of Title 5 of the California Code of Regulations and the policies and procedures of the District.

The District’s Uniform Complaint Procedures (UCP) may be used to report noncompliance with applicable state and federal laws and regulations, to file complaints alleging discrimination, harassment, intimidation, and/or bullying; unauthorized charging of pupil fees for educational activities, failure to comply with legal requirements under the LCAP, and/or to appeal District decisions regarding such complaints. UCP brochures are available at all school sites and on the District’s website in the primary languages of the school community. Complainants are encouraged, where possible, to try to resolve their complaints directly at the school or work site or with their Educational Service Center (ESC).

A written notice regarding UCP must be disseminated annually to staff, students, parents/guardians, appropriate private school officials or representatives, District advisory committee, school advisory committees, and other interested school parties. Distribution may be in any form (brochure, newsletter, memorandum, staff/parent/student handbook, etc.) that will reach the school community.

A copy of this UCP policy bulletin shall be available free of charge.

MAJOR CHANGES: This Bulletin replaces BUL-5159.3, “Uniform Complaint Procedures (UCP),” issued May 15, 2014, by the Office of General Counsel. It includes updated information and procedures to ensure compliance with legal requirements regarding pupil fees and under the LCAP as a result of Assembly Bill 97 signed by Governor Brown on July 1, 2013 enacting the Local Control Funding Formula (LCFF).



GUIDELINES: I. BACKGROUND

The UCP complaint is a written statement alleging discrimination, harassment, intimidation, and/or bullying of a student as identified in Education Code §200 and 220 and Government Code §11135, including any actual or perceived categories set forth in Penal Code §422.55, to include actual or perceived sex, sexual orientation, gender, gender identity, gender expression, race or ethnicity, ethnic group identification, ancestry, nationality, national origin, religion, color, mental or physical disability, age, 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 it conducts or to which it provides significant assistance, or a violation of a federal or state law or regulation.

A UCP complaint must be filed by way of the Uniform Complaint Procedures as written in Title 5 of the California Code of Regulations §§4600-4687. Issues that may involve filing a complaint using the UCP are under various state and federal programs that use categorical funds.

A pupil shall not be required to pay a pupil fee for participation in an educational activity, unless the charge for such a fee is specifically authorized by law and does not violate Education Code §49011. A pupil fee complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with laws relating to pupil fees. The complaint shall be filed no later than one year from the date the alleged violation occurred. If merit is found in a pupil fee complaint the public school shall provide a remedy to all affected pupils, parents, and guardians that where applicable includes reasonable efforts by the public school to ensure full reimbursement to all affected pupils, parents and guardians, subject to procedures established through regulations adopted by the state board. The District will attempt in good faith by engaging in reasonable efforts to identify and fully reimburse all pupils, parents and guardians who paid a pupil fee within one year prior to the filing of the complaint.

A complaint that a school district has not complied with the requirements of the LCAP may be filed using the UCP. (Education Code §52075). LCAP requirements are found in Education Code §§52060-52076. On July 1, 2013, Assembly Bill 97 was signed by Governor Brown enacting the LCFF. As part of LCFF, school districts, county offices of education and charter schools are required to develop, adopt, and annually update a three-year LCAP using the State Board of Education template. The LCAP is required to identify annual goals, specific actions geared toward implementing those goals, and must measure progress for student subgroups across multiple performance indicators based on eight priorities set by the State. The priorities must be aligned to the district's spending plan. The LCAP must be approved before the annual district budget can be adopted. Once the budget and LCAP are adopted at the local level the plan will be reviewed by the County superintendent to ensure alignment of



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projected spending toward goals and services. The following are the eight State priorities:

1. Providing all students access to fully credentialed teachers, instructional materials that align with state standards, and safe facilities.
2. Implementation of California's academic standards, including the Common Core State Standards in English language arts and math, Next Generation Science Standards, English language development, history social science, visual and performing arts, health education and physical education standards.
3. Parent involvement and participation, so the local community is engaged in the decision-making process and the educational programs of students.
4. Improving student achievement and outcomes along multiple measures, including test scores, English proficiency and college and career preparedness.
5. Supporting student engagement, including whether students attend school or are chronically absent.
6. Highlighting school climate and connectedness through a variety of factors, such as suspension and expulsion rates and other locally identified means.
7. Ensuring all students have access to classes that prepare them for college and careers, regardless of what school they attend or where they live.
8. Measuring other important student outcomes related to required areas of study, including physical education and the arts.

In addition to these eight areas, a district may also identify and incorporate in its plan goals related to its own local priorities.

The Board of Education is required to establish a parent advisory committee (PAC) and English learner parent advisory committee (ELPAC) to provide advice to the Board of Education and the superintendent regarding the LCAP. (ELPACs are required if the enrollment of a school district includes at least 15% English learners and the district enrolls at least 50 pupils who are English learners. Districts are not required to establish a new ELPAC if they already have established an English learner parent committee). PACs shall include parents or legal guardians of low income students, English learner students, and foster youth.



Each district is required to consult with its teachers, principals, administrators, other school personnel, local bargaining units, parents, and pupils in developing the LCAP. As part of this consultation process, districts must present their proposed plans to the PAC and ELPAC. The advisory committees can review and comment on the proposed plan. Districts must respond in writing to the comments of the PAC and ELPAC. Districts are also required to notify members of the public that they may submit written comments regarding the specific actions and expenditures proposed in the LCAP.

Districts are also required to hold at least two public hearings to discuss and adopt (or update) their LCAPs. The district must first hold at least one hearing to solicit recommendations and comments from the public regarding expenditures proposed in the plan. It then must adopt (or officially update) the LCAP at a subsequent hearing. The district is required to post on the school district website the LCAP approved by the Board of Education and any updates or revisions to the LCAP.

II. UNIFORM COMPLAINT PROCEDURES PROCESS JURISDICTION

A. Complaints Under the Jurisdiction of the District's UCP Process:

1. Discrimination, Harassment, Intimidation, and/or Bullying
 - a. Employee to student
 - b. Student to student
 - c. Third party to student
2. Various Programs that Use Categorical Funds
 - a. Adult Education
 - b. Consolidated Categorical Aid
 - c. Migrant Education
 - d. Career Technical/Technical Education/Technical Training
 - e. Child Care and Development
 - f. Child Nutrition
 - g. Special Education
3. Unauthorized Charging of Pupil Fees* for Educational Activities
 - a. A District pupil shall not be required to pay a pupil fee for participation in an educational activity.
 - b. All supplies, materials, and equipment needed to participate in educational activities shall be provided to pupils free of charge.

* "Pupil fee" means a fee, deposit, or other charge imposed on pupils, or a pupil's parents or guardians, in violation of California Education Code §49011 and §5 of Article IX of the California Constitution.

4. Failure to Comply with Legal Requirements Pertaining to LCAP



B. Complaints Not Under the Jurisdiction of the District's UCP Process:

1. Allegations of employment/work, employee-to-employee and/or student-to-employee discrimination, harassment, intimidation, and/or bullying may be referred to the District's Equal Opportunity Section at (213) 241-7685.
2. Allegations of suspected child abuse shall be referred to the Los Angeles County Department of Children and Family Services or the appropriate city or county law enforcement agency, as applicable.
3. Allegations of fraud shall be referred to the Office of the Inspector General.
4. Personnel action complaints shall be referred to the responsible administrator in the division/branch/department/unit/ESC.
5. Health and Safety complaints regarding a Child Development Program shall be referred to the Department of Social Services, for licensed facilities.
6. Bullying complaints not based on protected classes may be referred to the school's Title IX/Bullying Complaint Manager, Principal/Designee, or the Administrator of Operations in the ESC.

III. RELATED DEFINITIONS

Title 5, California Code of Regulations provides the following definitions:

- A. Appeal: A request made in writing to a level higher than the original reviewing level by an aggrieved party requesting reconsideration or a reinvestigation of the lower adjudicating body's decision.
- B. Complainant: An individual, including a person's duly authorized representative or an interested third party, public agency, or organization who files a written complaint alleging a violation of federal or state laws or regulations, including allegations of discrimination in programs and activities funded directly by the state or receiving any financial assistance from the state.
- C. Complaint: A written and signed statement alleging a violation of federal or state laws or regulations, which may include an allegation of discrimination, harassment, intimidation and/or bullying. If the complainant is unable to put the complaint in writing, due to conditions such as a disability or illiteracy, the public agency shall assist the complainant in the filing of the complaint.



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- D. Complaint Investigation: Administrative process used by the District, the California Department of Education (CDE) or local educational agency for the purpose of gathering data regarding the complaint.
- E. Complaint Procedure: An internal process used by the CDE or local educational agency to process and resolve complaints.
- F. Compliance Agreement: An agreement or plan, following a finding or District noncompliance with state laws and regulations, which has been developed by the District and approved by the CDE to resolve a noncompliance issue.
- G. Days: Calendar days, unless designated otherwise.
- H. Direct State Intervention: The steps taken by the CDE to initially investigate complaints or effect compliance.
- I. Local Agency: A school district governing board or a local public or private agency which receives direct or indirect funding or any other financial assistance from the state to provide any school programs or activities or special education or related services.
- J. Mediation: A problem-solving activity whereby a third party assists the parties to the dispute in resolving the complaint.
- K. State Mediation Agreement: A written, voluntary agreement, approved by the CDE, which is developed by the parties to the dispute, which resolves the allegations of the complaint.

IV. NOTIFICATION – DISSEMINATION

A. Employees

This “Uniform Complaint Procedures” Bulletin is to be provided to all District employees on an annual basis at the beginning of each school year.

B. Students

The District’s formal complaint procedures are provided in the “Parent Student Handbook,” which all schools are required to distribute annually to every student upon their first enrollment into any District school and at the beginning of each subsequent school year.



C. Parents and/or Guardians

The District's "Parent Student Handbook" should be used to provide parents and guardians notification of the District's formal complaint procedures.

D. District/School Advisory Committees, Appropriate Private School Officials or Representatives - Other Interested Parties

The "Uniform Complaint Procedures (UCP)" notice brochure is used to provide the required annual distribution of information regarding the District's formal complaint procedures to District/School Advisory Committees, and appropriate private school officials or representatives, as well as other interested parties.

V. CONFIDENTIALITY AND NON-RETALIATION

Complaints shall be handled in a confidential manner to respect the privacy of all parties to the fullest extent possible. Every effort shall be made to limit the distribution of information to those persons with a need to know within the confines of the District's reporting procedures and investigative process.

The District prohibits retaliation in any form for the filing of a complaint or an appeal, reporting instances of non-compliance, discrimination, harassment, intimidation, and/or bullying, or for participation in the complaint-filing or investigation process. These confidentiality and non-retaliation requirements extend to all parties involved.

VI. FORMAL COMPLAINT PROCEDURES

A. Complaint Filing

1. Any individual, public agency or organization may file a written complaint, alleging a matter which, if true, would constitute a violation by the District of federal or state laws or regulations governing the programs and activities as well as allegations of discrimination, harassment, intimidation, and/or bullying identified in the General Information section of this document.
2. Any parent/guardian/individual/organization has the right to file a written complaint of discrimination, harassment, intimidation, and/or bullying within six months from the date the alleged incident occurred or the complainant first obtained knowledge of the facts of the alleged incident.
3. A complaint may be filed anonymously if the complaint provides



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evidence or information leading to evidence to support an allegation of noncompliance.

4. A complainant who makes a verbal complaint shall be referred to the administrator/designee who will assist any person with a disability or unable to prepare a written complaint.
5. The complainant will submit a written complaint to:

Julie Hall-Panameño, Director
Los Angeles Unified School District
Educational Equity Compliance Office (EECO)
333 South Beaudry Avenue - 20th Floor
Los Angeles, California 90017
Telephone: (213) 241-7682
Facsimile: (213) 241-3312

This individual/office shall be considered the representative of the District for purposes of receiving and coordinating responses to complaints and correspondence related to this policy.

The District ensures the District administrator/designee assigned to investigate complaints is knowledgeable about the laws/programs that he/she is assigned to investigate and is responsible for compliance. In addition, the District administrator/designee responsible for providing a written report should be a person trained in the UCP investigative process. As such, this designee must have knowledge of federal and state laws and regulations pertaining to UCP.

6. The District shall include an opportunity for the complainant, or the complainant's representative, or both, to present the complaint(s) and evidence or information leading to evidence to support the allegations of non-compliance with state and federal laws and/or regulations. Refusal by the complainant to provide the investigator with documents or other evidence related to the allegations in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegations.

Refusal by the District to provide the investigator with access to records and/or other information related to the allegation in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in a finding based on evidence collected that a violation has occurred and may result in the imposition of a remedy in favor of the complainant.



B. Complaint Receipt

The District administrator/designee shall:

1. Acknowledge receipt of the complaint and will review the complaint to determine whether it meets the criteria for filing under the procedures or falls within the exceptions listed in the General Information section.
2. Inform the complainant of the District policy and appeal procedures in those instances when a complaint may be filed directly with the State Superintendent of Public Instruction or another appropriate state or federal agency.
3. Determine whether the complainant and the District representative will participate in mediation to resolve the complaint prior to formal investigation. If the complainant agrees to the mediation, the complainant must be informed that the mediation process may be terminated at any time and may proceed directly to an investigation. Mediation may not extend the timeline for investigation and resolution to the complaint unless the complainant agrees, in writing, to the extension.
4. Determine whether a discrimination, harassment, intimidation, and/or bullying complaint has been filed within six months from the date the alleged incident occurred or the date the complainant first obtained knowledge of the facts of the alleged incident. Confidentiality of complaints alleging discrimination, harassment, intimidation, and/or bullying will be observed to the maximum extent possible.
5. Deny the discrimination, harassment, intimidation, and/or bullying complaint if it has not been filed in a timely manner, and notify the complainant of the right to appeal to the State Superintendent of Public Instruction for an extension of time in which to file the complaint.
6. Refer the complaint for investigation to the appropriate District office/division/branch/unit/ESC.
7. Ensure that, within 60 days of receipt of the written complaint, the complaint has been resolved and/or investigated and that a written report of findings is issued to the complainant. The written report of the investigative findings must contain the allegations, method of investigation, policy, findings, conclusions, and corrective actions, if applicable.
8. Obtain an extension of time, if appropriate, in order to conduct the investigation.



C. Complaint Timeline

1. Each complaint shall be resolved and a written report of investigative findings issued within 60 days of the receipt of the written complaint unless the complainant agrees in writing to an extension of time.
2. If the complainant agrees to mediation, it may not extend the timeline for investigation and resolution of the complaint unless the complainant agrees, in writing, to the extension.

D. Complaint Investigation

Each complaint shall be investigated by the appropriate District office/unit/division/branch/ESC office. The District office/unit/division/branch/ESC shall:

1. Adhere to a 30 day timeline to request additional information from the complainant as necessary, conduct the investigation, and prepare the final written report of findings.
2. Provide an opportunity for the complainant and/or the complainant's representative and the District's representative to present information that is relevant to the complaint during the mediation or investigative process. Refusal by the complainant to provide the investigator with documents or other evidence related to the allegations in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegations.
3. Obtain statements from other individuals who were witnesses or can provide relevant information concerning the alleged violation.
4. Review documents that may provide information relevant to the alleged violation. When necessary, request clarification on specific issues of the complaint from other District offices (e.g., Parent Community Services Branch, Federal and State Education Programs Branch, Division of Special Education, etc.).
5. Have access to applicable District records and/or other information related to the allegations in the complaint. District staff who refuse or otherwise fail to cooperate in the investigation or engage in any other obstruction of the investigation, may cause a finding, based on evidence collected, that a violation has occurred and may result in the imposition of a remedy in favor of the complainant.



6. Prepare a written report (in English and in the language of the complainant) of the investigative findings which contains the following elements:
 - a. The findings of fact based on the evidence gathered
 - b. Conclusion of law
 - c. Disposition of the complaint
 - d. The rationale for the disposition
 - e. Corrective actions, if any, that are warranted
 - f. Notice of the complainant's right to appeal the District's decision to the CDE
 - g. Procedures to be followed for initiating an appeal to the CDE
7. Within 30 days of receipt of the complaint, forward a draft of the written report of investigative findings to the EECO for review and final disposition.

E. Complaint Response

1. The UCP Coordinator will complete and provide the closing letter, along with the written report of investigative findings, to the complainant and to the appropriate administrator/designee.
2. The closing letter provided to the complainant includes the assurance that the District will not tolerate retaliation against the complainant for opposing District actions, reporting, or threatening to report such actions or for the complainant's participation in an investigation of District actions.
3. The closing letter provided to the complainant also includes notice of the complainant's right to appeal the District's decision. ESC decisions regarding programs listed in the General Information section may be appealed within 15 days to the EECO and/or to the CDE.

VII. APPEALS

A. Appeals of ESC or District Decisions Regarding Allegations of Discrimination, Harassment, Intimidation, and/or Bullying

1. Appeals of ESC decisions and/or findings involving allegations of discrimination, harassment, intimidation, and/or bullying may be filed in writing within 15 days to the District's EECO.
 - a. A written appeal of the ESC decisions and/or findings may be directed to:



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Julie Hall-Panameño, Director
Educational Equity Compliance Office
Los Angeles Unified School District
333 South Beaudry Avenue - 20th Floor
Los Angeles, California 90017
Telephone: (213) 241-7682
Facsimile: (213) 241-3312

- b. The complainant shall specify the reasons for appealing the decision and include a copy of the ESC decision. The ESC will provide the EECO investigator with access to records and/or other information related to the allegation in the complaint and information obtained as part of the ESC's investigation into the allegation. A final written letter of findings will be provided to the complainant of the disposition of the appeal and rationale for the disposition.
2. Appeals of District decisions and/or findings regarding allegations of discrimination, harassment, intimidation, and/or bullying listed in this document may be appealed to the CDE's Office of Equal Opportunity by filing a written appeal within 15 days after receiving the District's decision.
 - a. The written appeal should specify the reasons for appealing the decision and include a copy of the District's decision.
 - b. Appeals of District decisions regarding allegations of discrimination, harassment, intimidation, and/or bullying may be sent to:

California Department of Education
Office for Equal Opportunity
1430 N Street, Suite 4206
Sacramento, CA 95814

B. Appeals of District Decisions Regarding Educational Program Complaints

Appeals of District decisions and/or findings regarding educational programs listed in this document (found in Section 2 – Uniform Complaint Procedures Process Jurisdiction) may be appealed to the CDE's Categorical Programs Complaints Management by filing a signed written appeal within 15 days after receiving the District's decision.

1. The written appeal should specify the reasons for appealing the decision and include a copy of the District's decision.
2. Appeals of District decisions regarding educational program complaints should be sent to:



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California Department of Education
Categorical Programs Complaints Management Office
1430 N Street, Suite 6408
Sacramento, CA 95814

C. Appeals of District Decisions Regarding Special Education Compliance

Appeals of District decisions and/or findings regarding special education compliance may be filed with the CDE's Special Education Division by sending a written appeal within 15 days after receiving the District's decision.

1. The written appeal should specify the reasons for appealing the decision and include a copy of the District's decision.
2. Appeals of District decisions regarding special education compliance should be sent to:

California Department of Education
Procedural Safeguards Referral Service
1430 N Street, Suite 2401
Sacramento, CA 95814

D. Appeals of District Decisions Regarding Pupil Fees and Legal Requirements pertaining to LCAP

Appeals of District decisions and/or findings regarding pupil fees and legal requirements pertaining to LCAP may be filed with the CDE by sending a written appeal within 15 days after receiving the District's decision.

1. The written appeal should specify the reasons for appealing the decision and include a copy of the District's decision.
2. Appeals of District decisions regarding pupil fees and legal requirements pertaining to LCAP should be sent to:

California Department of Education
1430 N Street
Sacramento, CA 95814

VIII. CIVIL REMEDIES

Pursuant to California Education Code §262.3, persons who have filed a complaint under the UCP should be advised that civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders may also be available to them under California or federal discrimination, harassment, intimidation and/or bullying laws.



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AUTHORITY: This is the policy of the District Superintendent of Schools. The following legal standard is applied to this policy:

California Code of Regulations, Title 5, §§4600 - 4687

ASSISTANCE: For further information or assistance:

Educational Equity Compliance Office – (213) 241-7682
Julie Hall-Panameño, Director

- ATTACHMENTS:**
- Attachment A - UCP Complaint Form – English
 - Attachment B - UCP Complaint Form – Spanish
 - UCP Notice Brochure - English
 - UCP Notice Brochure - Spanish

Translations of the above documents are also available in the following languages: Armenian, Chinese, Farsi, Korean, Polish, Russian, and Tagalog. To obtain these translations, please contact the EECO at (213) 241-7682.

How to Submit a Complaint

Any person, organization, or public agency may mail or fax a written complaint to:

Julie Hall-Panameño, Director
Educational Equity Compliance Office
Los Angeles Unified School District
333 South Beaudry Avenue - 20th Floor
Los Angeles, CA 90017
Fax: (213) 241-3312

Any person with a disability or who is unable to prepare a written complaint can receive assistance from the site administrator/ designee or by calling the Educational Equity Compliance Office at (213) 241-7682.

The District assures confidentiality to the maximum extent possible. The District prohibits retaliation against anyone who files a complaint or participates in the complaint investigation process.

Pursuant to Education Code §262.3, Complainants are advised civil law remedies may also be available under state or federal discrimination, harassment, intimidation, and/or bullying laws.

A copy of the District's UCP policy and complaint procedures shall be available free of charge.

For questions regarding the UCP, contact Binh Nguyen, UCP Coordinator at (213) 241-7682.

Complaint Investigation and Response

Each complaint is investigated by the appropriate District office, unit, division,

branch, or Educational Service Center (ESC) office. The investigation and District response:

1. Provides an opportunity for complainant and District personnel to present information relevant to the complaint.
2. Obtains relevant information from other persons or witnesses who can provide evidence or information.
3. Reviews related documents.
4. Prepares a written "Report of Findings" in English, or in the primary language of the complainant, which contains the investigative findings and District's decision, including corrective action(s), if any, and suggested remedies, if applicable.
5. Concludes the investigation within 60 days from the date of receipt of the written complaint, unless the complainant agrees in writing to extend the investigative timeline.
6. Notifies the person or organization of appeal procedures.

How to Appeal

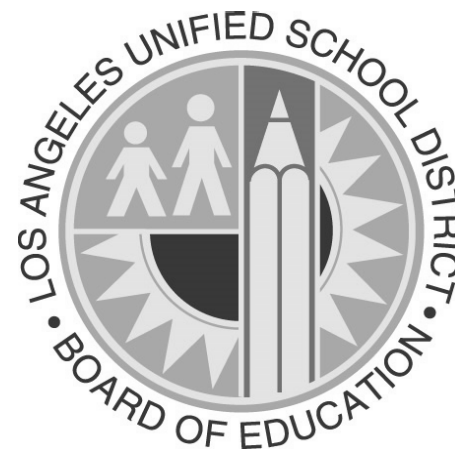
Persons or organizations disagreeing with the investigative findings and District's decision, or local site decisions involving Title VI or Title IX, have 15 days after receipt of the "Report of Findings" to file an appeal.

The appeal must be in writing and include a copy of the original complaint, as well as a copy of the District's decision. The appeal should be sent to:

California Department of Education
1430 N Street
Sacramento, CA 95814

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

Uniform Complaint Procedures (UCP)



**Educational Equity
Compliance Office**

(213) 241-7682

Why This Brochure?

The Los Angeles Unified School District has the primary responsibility to ensure compliance with applicable state and federal laws and regulations, and shall investigate complaints alleging failure to comply with those laws and regulations including those alleging discrimination, harassment, intimidation, and/or bullying, unauthorized charging of pupil fees for educational activities, and failure to comply with legal requirements pertaining to the Local Control Accountability Plan (LCAP). The District shall seek to resolve those complaints in accordance with the procedures set out in California Code of Regulations §§4600-4687 and the policies and procedures of the District.

Protected Classes Covered Under UCP:

Allegations of discrimination, harassment, intimidation, and/or bullying of students based on protected classes/characteristics, set forth in Penal Code §422.55 and Education Code §220, include actual or perceived sex, sexual orientation, gender, gender identity, gender expression, race or ethnicity, ethnic group identification, ancestry, nationality, national origin, religion, color, mental or physical disability, age, or on the basis of 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.

Complaints of discrimination, harassment, intimidation, and/or bullying 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.

Programs Under UCP:

1. Discrimination, harassment, intimidation, and/or bullying
 - a. Employee to student
 - b. Student to student
 - c. Third party to student
2. Programs that use categorical funds
 - a. Adult Education
 - b. Consolidated Categorical Aid
 - c. Migrant Education
 - d. Career Technical/Technical Education/Technical Training
 - e. Child Care and Development
 - f. Child Nutrition
 - g. Special Education
3. Unauthorized charging of pupil fees* for educational activities
 - a. District pupils shall not be required to pay pupil fees for participation in educational activities.
 - b. Supplies, materials, and equipment needed to participate in educational activities shall be provided to pupils free of charge.

* *"Pupil fee" means a fee, deposit, or other charge imposed on pupils, or a pupil's parents or guardians, in violation of Education Code §49011 and §5 of Article IX of the California Constitution.*

A pupil shall not be required to pay a pupil fee for participation in an educational activity, unless the charge for such a fee is specifically authorized by law and does not violate Education Code §49011. A pupil fee complaint shall be filed no later than one year from the date the alleged violation occurred. 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.

4. Failure to comply with legal requirements as to development, adoption and annual update of the LCAP, which includes identification of annual goals, actions to implement goals, and measuring student subgroup progress across indicators based on the States' eight priorities and aligned with the District's spending plan.

The State's priorities are: providing students access to credentialed teachers, instructional materials aligned with standards and safe facilities; implementation of California's academic standards; parent involvement and participation; improving student achievement and outcomes along multiple measures; supporting student engagement; highlighting school climate and connectedness; ensuring all students have access to classes that prepare them for college and careers; and measuring other important student outcomes related to required areas of study.

Los Angeles Unified School District Uniform Complaint Procedures Form

Last Name _____ First Name _____

Student Name (if applicable) _____ Grade _____ Date of Birth _____

Address _____ Apt. # _____

City _____ State _____ Zip Code _____

Home Phone _____ Cell Phone _____ Work Phone _____

Date of Alleged Violation _____ School/Office of Alleged Violation _____

For allegations of noncompliance, please check the program or activity referred to in your complaint, if applicable:

- | | | |
|--|--|--|
| <input type="checkbox"/> Adult Education | <input type="checkbox"/> Consolidated Categorical Aid | <input type="checkbox"/> Migrant Education |
| <input type="checkbox"/> Career/Technical Education | <input type="checkbox"/> Child Care & Development | <input type="checkbox"/> Child Nutrition |
| <input type="checkbox"/> Special Education | <input type="checkbox"/> Pupil Fees for Educational Activities | |
| <input type="checkbox"/> Local Control Accountability Plan | | |

For complaints of discrimination, harassment, intimidation and/or bullying (employee-to-student, student-to-student, and third party to student), please check the protected classes (actual or perceived), upon which the alleged conduct was based, listed below:

- | | | |
|---|--|-----------------------------------|
| <input type="checkbox"/> Actual or Perceived Sex | <input type="checkbox"/> Sexual Orientation | <input type="checkbox"/> Gender |
| <input type="checkbox"/> Gender Identity | <input type="checkbox"/> Gender Expression | <input type="checkbox"/> Ancestry |
| <input type="checkbox"/> Ethnic Group Identification | <input type="checkbox"/> Race or Ethnicity | <input type="checkbox"/> Religion |
| <input type="checkbox"/> Nationality | <input type="checkbox"/> National Origin | <input type="checkbox"/> Age |
| <input type="checkbox"/> Color | <input type="checkbox"/> Mental or Physical Disability | |
| <input type="checkbox"/> Association with a person or group with one or more of the actual or perceived categories listed above | | |

For complaints of bullying that are not based on the above listed protected classes, and other complaints not listed on this form, please contact the Title IX/Bullying Complaint Manager, School Principal, or the Administrator of Operations in your Educational Service Center (ESC).

Educational Service Centers:

- | | | | |
|--|--|--|---|
| <input type="checkbox"/> North (818) 654-3670 | <input type="checkbox"/> West (310) 914-2110 | <input type="checkbox"/> East (323) 224-3177 | <input type="checkbox"/> South (310) 354-3417 |
| <input type="checkbox"/> Intensive Support & Innovation Center (ISIC) (213) 241-0178 | | | |

If you have contacted your school and your Educational Service Center but still need assistance, referrals, or resources, please phone the Educational Equity and Compliance Office at (213) 241-7682 and ask to speak with an administrator.

1. Please give the facts about your complaint. Provide details such as the names of those involved, dates, whether witnesses were present, etc., that may be helpful to the complaint investigator.

2. Have you attempted to discuss your complaint with any Los Angeles Unified School District personnel? If so, with whom and what was the result?

3. Please provide copies of any written documents that may be relevant or supportive of your complaint.

I have attached supporting documents. Yes___ No___

Signature _____ Date _____

Mail or fax your complaint/documents to:

**Julie Hall-Panameño, Director
Educational Equity Compliance Office
Los Angeles Unified School District
333 South Beaudry Avenue, 20th Floor
Los Angeles, CA 90017
Fax: (213) 241-3312**

For more information, please contact Binh Nguyen, UCP Coordinator at (213) 241-7682.

Cómo Presentar una Queja

Toda persona, organización, o entidad pública puede enviar por correo/fax una queja escrita a:

Julie Hall-Panameño, Director
Educational Equity Compliance Office
Los Angeles Unified School District
333 South Beaudry Avenue - 20th Floor
Los Angeles, CA 90017
Fax: (213) 241-3312

Toda persona con una discapacidad o que es incapaz de preparar una queja escrita puede recibir asistencia del director o su designado o llamando a la Oficina para el Cumplimiento de la Equidad Educativa al (213) 241-7682.

El Distrito garantiza confidencialidad en el mayor grado posible. El Distrito prohíbe las represalias contra todo aquel que presente una queja o participe en el proceso de investigación de dicha queja.

Según el Código de Educación §262.3 se le notifica al demandante que podrían tener a su disposición remedios jurídicos civiles bajo leyes estatales y federales sobre discriminación, hostigamiento, intimidación, y/o acoso escolar.

Una copia de la política de UCP del Distrito y el procedimiento de quejas estarán disponibles de forma gratuita.

Para preguntas sobre el UCP, favor de comunicarse con Binh Nguyen, Coordinador de UCP al (213) 241-7682.

Cómo se Investiga y se Responde a una Queja

Cada queja es investigada por la oficina apropiada del Distrito, unidad, división, rama, o Centro de Servicios Educativos (ESC por sus siglas en inglés). La investigación y la respuesta del Distrito:

BUL-5159.4
Office of General Counsel

1. Brinda una oportunidad para el demandante y al personal del Distrito para presentar información relacionada con la queja.
2. Obtiene información específica de otros testigos que puedan proveer evidencia o información.
3. Revisa documentos pertinentes.
4. Preparar un “Informe de los Hechos” por escrito en inglés o en el idioma primario del demandante, que contengan los resultados de las investigaciones y la decisión del Distrito, incluyendo acción(es) a corregir, si las hay, y cualquier solución(es) recomendada(s) que apliquen.
5. Terminar la investigación dentro de 60 días desde la fecha que se recibió la queja, a menos que el demandante esté de acuerdo en extender el plazo por escrito.
6. Notificar al demandante del procedimiento de apelación.

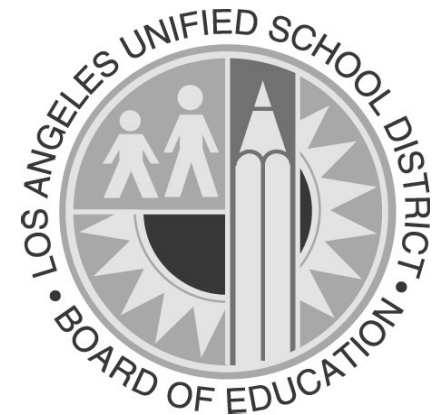
Cómo Apelar

Las personas u organizaciones que estén en desacuerdo con los resultados de las investigaciones y la decisión del Distrito, o del plantel educativo relacionados al Título VI o al Título IX, disponen de 15 después de haber recibido el “Informe de los Hechos” para presentar una apelación.

La apelación debe presentarse por escrito e incluir una copia original de la queja, al igual que una copia de la decisión tomada por el Distrito. La apelación debe enviarse a:

California Department of Education
1430 N Street
Sacramento, CA 95814

Procedimiento Uniforme para Presentar Quejas (UCP)



Oficina para el Cumplimiento de la Equidad Educativa

(213) 241-7682

UCP Brochure English
November 14, 2014

¿Por qué de este Folleto?

El Distrito Escolar Unificado de Los Ángeles tiene la responsabilidad primordial de asegurar el cumplimiento de las leyes y los reglamentos federales y estatales y deberá investigar las quejas alegando el incumplimiento a estas leyes y reglamentos incluyendo aquellas que aleguen discriminación, hostigamiento, intimidación, y/o acoso escolar, cobros de cuotas estudiantiles no autorizados para actividades estudiantiles y falta de cumplimiento con los requisitos legales según el Plan de Responsabilidad de Control Local (LCAP). El Distrito buscará resolver esas quejas según los procedimientos establecidos en el Código de California de Reglamentos §§ 4600-4687 y las políticas y procedimientos del Distrito.

Clases Protegidas que Comprenden el UCP:

Las quejas de discriminación, hostigamiento, intimidación, y/o acoso escolar que se basen en una clase/característica protegida según el Código Penal §422.5 y el Código de Educación §220, incluyen el sexo real o percibido, orientación sexual, género, identificación de género, expresión de género, raza o etnia, identificación según el grupo étnico, ascendencia, nacionalidad, origen nacional, religión, color, discapacidad mental o física, edad o en base a la asociación con una persona o grupo con una o más de estas categorías reales o percibidas, en cualquier programa o actividad al cual provee una asistencia significativa.

Las quejas de discriminación, de hostigamiento, de intimidación, y/o de acoso escolar deben ser presentadas dentro de seis (6) meses desde la fecha de cuando el supuesto incidente ocurrió o desde la fecha en que hubo conocimiento de los hechos del supuesto incidente.

Programas Educativos Amparados bajo el UCP:

1. Discriminación, hostigamiento, intimidación, y/o acoso escolar
 - a. Empleado a estudiante
 - b. Estudiante a estudiante
 - c. Tercera persona a estudiante
2. Programas que reciben fondos categóricos
 - a. Educación de Adultos
 - b. Programas Consolidados Categóricos
 - c. Educación para Migrantes
 - d. Carreras Técnicas/ Educación Técnica / Capacitación Técnica
 - e. Cuidado y Desarrollo Infantil
 - f. Nutrición Infantil
 - g. Educación Especial
3. Cobros no autorizados de cuotas estudiantiles* para actividades educativas.
 - a. Un alumno del Distrito no está obligado a pagar ninguna cuota estudiantil para participar en una actividad educativa.
 - b. Todos los suministros, materiales y equipos necesarios para participar en las actividades educativas se facilitarán a los alumnos de forma gratuita.

* *"Cuotas Estudiantiles" significa una cuota, deposito, u otro costo impuesto a los alumnos o padres de un alumno o tutores, en violación del Código de Educación de CA § 49011 y la Sección 5 del Artículo IX de la Constitución de California.*

Un alumno no estará obligado a pagar una cuota estudiantil para participar en una actividad educativa, a menos que el cargo por dicha cuota

esté expresamente autorizado por la ley y no viole el Código de Educación § 49011. Una queja de cuotas estudiantiles deberá ser presentada no más tarde de un año a partir de la fecha en que ocurrió la presunta violación. El Distrito intentará de buena fe participar en los esfuerzos razonables para identificar y totalmente reembolsar a todos los alumnos, los padres, los padres/tutores, que pagaron una cuota estudiantil dentro de un año antes de la presentación de la queja.

4. El incumplimiento de los requisitos legales en cuanto a desarrollo, la adopción y la actualización anual del LCAP, que incluye la identificación de las metas anuales, las acciones para poner en práctica los objetivos y medir el progreso de subgrupo de estudiantes a través de los indicadores basados en las ocho prioridades del Estado y alineadas con el plan de gastos del Distrito.

Las prioridades del Estado son: proporcionar a los estudiantes el acceso a maestros con credenciales, materiales de instrucción alineados con los estándares e instalaciones seguras; aplicación de las normas académicas de California; involucración de los padres y la participación; mejorar el rendimiento del estudiante y los resultados a lo largo de múltiples medidas; apoyo a la participación de los estudiantes; destacar el clima escolar y la conectividad; asegurando que todos los estudiantes tengan acceso a las clases que los preparen para la universidad y carreras; y la medición de otros resultados importantes de los estudiantes relacionados con las áreas requeridas de estudio.

El plazo de 60 días para la investigación y la respuesta del Distrito deberá comenzar en cuanto se reciba la queja.

Distrito Escolar Unificado de Los Ángeles

Formulario del Procedimiento Uniforme de Quejas

Apellido _____ Nombre _____
Nombre del Estudiante (si aplica) _____ Grado _____ Fecha de Nacimiento _____
Domicilio _____ / # de Apto. _____
Ciudad _____ Estado _____ Zona Postal _____
Teléfono de Casa _____ Teléfono Celular _____ Teléfono del Trabajo _____
Fecha de la Supuesta Violación _____ Escuela/Oficina de la Supuesta Violación _____

Para queja(s) de inconformidad, favor de marcar el programa o actividad referente a su queja, si aplica:

- | | | |
|---|---|---|
| <input type="checkbox"/> Educación de Adultos | <input type="checkbox"/> Programas Consolidados Categóricos | <input type="checkbox"/> Educación para Migrantes |
| <input type="checkbox"/> Carreras / Educación Técnica | <input type="checkbox"/> Cuidado y Desarrollo Infantil | <input type="checkbox"/> Nutrición Infantil |
| <input type="checkbox"/> Educación Especial | <input type="checkbox"/> Cuotas de Actividades Extra-Curriculares | |
| <input type="checkbox"/> Plan de Responsabilidad de Control Local | | |

Para quejas de discriminación, hostigamiento, intimidación y acoso escolar (adulto-a-estudiante, estudiante-a-estudiante, y una tercer persona a estudiante) favor de marcar las clases protegidas (reales o percibidas) de la siguiente lista, sobre las cuales está fundamentada la supuesta conducta:

- | | | |
|--|---|--------------------------------------|
| <input type="checkbox"/> Sexo Real o Percibido | <input type="checkbox"/> Orientación Sexual | <input type="checkbox"/> Género |
| <input type="checkbox"/> Identidad de Género | <input type="checkbox"/> Expresión de Género | <input type="checkbox"/> Ascendencia |
| <input type="checkbox"/> Identificación de Grupo Étnico | <input type="checkbox"/> Raza o Etnia | <input type="checkbox"/> Religión |
| <input type="checkbox"/> Nacionalidad | <input type="checkbox"/> Origen Nacional | <input type="checkbox"/> Edad |
| <input type="checkbox"/> Color | <input type="checkbox"/> Discapacidad Mental o Física | |
| <input type="checkbox"/> En base a la asociación con una persona o grupo con una o más de estas características reales o percibidas. | | |

Para quejas de acoso escolar que no se basen en las clases protegidas o características arriba mencionadas u otras quejas no mencionadas en este formulario, favor de comunicarse con la persona asignada al Título IX/Administrador de Acoso Escolar, con el Director de la escuela, o con el Administrador de Operaciones de su Centro de Servicios Educativos (ESC-por sus siglas en inglés).

Centros de Servicios Educativos:

- Norte (818) 654-3670 Oeste (310) 914-2110 Este (323) 224-3177 Sur (310) 354-3417
 Centro de Innovación y Apoyo Intensivo (ISIC- por sus siglas en inglés) (213) 241-0178

Si ha contactado a su escuela y al Centro de Servicios Educativos, pero aún necesita asistencia, referencias o recursos, favor de llamar a la Oficina para el Cumplimiento a la Equidad Educativa al (213) 241-7682 y pida hablar con un administrador.

