

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

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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 the event that 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 shall be informed of any extension of the timeline agreed to by the complainant. The respondent shall be informed of any extension of the timeline agreed to by the complainant. The respondent shall be informed of any extension of the timeline agreed to by the complainant.

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 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:

Ed.

Ed. Code 64000-64001

Consolidated application process: school plan for student achievement -
<https://simbli.eboardsolutions.com/SU/HpsplusCia>

| Management Resources References | Description |
|--|---|
| 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 |

- 1220 Citizen Advisory Committees -
<https://simbli.eboardsolutions.com/SU/8sz88D0UDiZA3h21O1D9Sw==>
- 1220 Citizen Advisory Committees -
<https://simbli.eboardsolutions.com/SU/OTJWgslshbl2lVVrUryMkSGFg==>
- 1250 Visitors/Outsiders -
<https://simbli.eboardsolutions.com/SU/GSLVcblUICplus79sH3FZxPuW==>
- 1312.1 Complaints Concerning District Employees -
<https://simbli.eboardsolutions.com/SU/vpJUf4lVhOMgpd3vvd3lKA==>
- 1312.1 Complaints Concerning District Employees -
<https://simbli.eboardsolutions.com/SU/vSvdFh24lD2XLEUslshVBf3ww==>
- 1312.2 Complaints Concerning Instructional Materials -
<https://simbli.eboardsolutions.com/SU/yO8dqEz5pVhWO69nZOlveA==>
- 1312.4 Williams Uniform Complaint Procedures -
<https://simbli.eboardsolutions.com/SU/EyTJJh5ZRzJqEOku28SpO==>
- 1312.4-E PDF(1) Williams Uniform Complaint Procedures -
<https://simbli.eboardsolutions.com/SU/yH2DlvO4slshxKr8nftRYPCjw==>
- 1340 Access To District Records -
<https://simbli.eboardsolutions.com/SU/6lLvObXplus9cHcnDplusldG6SfO==>
- 1340 Access To District Records -
<https://simbli.eboardsolutions.com/SU/lg6tM2aapPtfR0lrBZHgl.g==>
- 3260 Fees And Charges -
<https://simbli.eboardsolutions.com/SU/POIFslsh4vcnOHZNKYTgOlplusnA==>
- 3260 Fees And Charges -
<https://simbli.eboardsolutions.com/SU/yhOYAwmUNAJkdjxplussj8rO==>
- 3580 District Records -
<https://simbli.eboardsolutions.com/SU/O4SOT7Fy6j1GBob91sX2sw==>
- 3580 District Records -
<https://simbli.eboardsolutions.com/SU/5U4plus7xdcRpBfqKAE8LAIRO==>
- 4030 Nondiscrimination In Employment -
<https://simbli.eboardsolutions.com/SU/99VyuYWTL4em95hpTViiyg==>
- 4030 Nondiscrimination In Employment -
<https://simbli.eboardsolutions.com/SU/b6ULnUzCbXpluslMcJplusJrbqFA==>
- 4112.23 Special Education Staff -
<https://simbli.eboardsolutions.com/SU/SslshCO1puD9gVlOX1oomBnYA==>
- 4112.9 Employee Notifications -
<https://simbli.eboardsolutions.com/SU/Ma5gG7Aazys0mlH3H7yXA==>
- 4118 Dismissal/Suspension/Disciplinary Action -
<https://simbli.eboardsolutions.com/SU/FStvdhtDr000u5KlcWHR5g==>
- 4118 Dismissal/Suspension/Disciplinary Action -
<https://simbli.eboardsolutions.com/SU/3ens o ;> 

4212.9 Employee Notifications - <https://simbli.eboardsolutions.com/SU/77NB0h5OJGaLiKgpxNLzso==>

4219.1 Civil And Legal Rights - <https://simbli.eboardsolutions.com/SU/C1zoOGevxjvGtOWkr1OWmg==>

4219.23 Unauthorized Release Of Confidential/Privileged Information - <https://simbli.eboardsolutions.com/SU/KCS5EibPZqmgjOBiOamslshoA==>

4231 Staff Development - <https://simbli.eboardsolutions.com/SU/wGPBPx9gl7eBfzFOyOdX7A==>

4312.9 Employee Notifications - <https://simbli.eboardsolutions.com/SU/WV SXeHfYulX2qphL8Y3fgw==>

4319.1 Civil And Legal Rights - <https://simbli.eboardsolutions.com/SU/pw7HMIzdw8NHhYdMsAVKEg==>

4319.23 Unauthorized Release Of Confidential/Privileged Information - <https://simbli.eboardsolutions.com/SU/knOhFWppRPjaAWplus5RZDplusXO==>

4331 Staff Development - <https://simbli.eboardsolutions.com/SU/xsmtm0shCslshTTcVYM8pT1tg==>

5116.1 Intradistrict Open Enrollment - <https://simbli.eboardsolutions.com/SU/PdtjygDIPplusjRpKVXpOilnw==>

5116.1 Intradistrict Open Enrollment - <https://simbli.eboardsolutions.com/SU/8M52aOplusmlHha2H8DapimDg==>

5117 Interdistrict Attendance - <https://simbli.eboardsolutions.com/SU/nMBZMswcoslsh8bRmjwP2rYRA==>

5125 Student Records - <https://simbli.eboardsolutions.com/SU/U4kF2zgdMVIPJYFMUA6RVA==>

5125 Student Records - <https://simbli.eboardsolutions.com/SU/1DwPg9FuBFTzgmJbMkkoDO==>

5131.62 Tobacco - <https://simbli.eboardsolutions.com/SU/V5yPqVYEPDaY7HuOphRR9O==>

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/arzB6j956FOB9ZVpuPXrdg==>

5144.1 Suspension And Expulsion/Due Process - <https://simbli.eboardsolutions.com/SU/cl7VGO0gOA88UqOLwYnlVO==>

5144.1 Suspension And Expulsion/Due Process - <https://simbli.eboardsolutions.com/SU/YbZmlEgZM69FCslshslsh0lm8plusplusA==>

5145.3 Nondiscrimination/Harassment - <https://simbli.eboardsolutions.com/SU/HS2jqOmcopirrVcOPcO1cA==>

5145.3 Nondiscrimination/Harassment - <https://simbli.eboardsolutions.com/SU/hg8YrNfWlZ9xowEWRGjF4A==>

5145.6 Parent/Guardian Notifications - <https://simbli.eboardsolutions.com/SU/9C8WooofUSOslshxDOlpmOOhyO==>

5145.7 Sexual Harassment - <https://simbli.eboardsolutions.com/SU/rBOeKJ8CuSK3Vs2ghOlP6A==>

5145.7 Sexual Harassment - <https://simbli.eboardsolutions.com/SU/8uOACoOGLow90jy5rRhSVw==>

5145.71 Title IX Sexual Harassment Complaint Procedures - <https://simbli.eboardsolutions.com/SU/dOGfkpFwPcjQOBNt5WbT4O==>

5145.9 Hate-Motivated Behavior - <https://simbli.eboardsolutions.com/SU/9VqcOFGOvtC93eHXkr8uFg==>

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|--------|---|
| 5146 | Married/Pregnant/Parenting Students - https://simbli.eboardsolutions.com/SU/YmJslshJcPslsh3ZefYqmJlgDfiw== |
| 5148 | Child Care And Development - https://simbli.eboardsolutions.com/SU/FINngFAOslshzGtlysH90pjVg== |
| 6142.1 | Sexual Health And HIV/AIDS Prevention Instruction - https://simbli.eboardsolutions.com/SU/eAplus10cSE8xpG5pMJfyDMpw== |
| 6142.7 | Physical Education And Activity - https://simbli.eboardsolutions.com/SU/t7GiKDEnaj4L2DYc76iupA== |
| 6145 | Extracurricular And Cocurricular Activities - https://simbli.eboardsolutions.com/SU/vbMmUulRE4mNN5BvoFh0Ag== |
| 6145.2 | Athletic Competition - https://simbli.eboardsolutions.com/SU/NzSssODr4DFgKRGKKbxC5A== |
| 6146.1 | High School Graduation Requirements - https://simbli.eboardsolutions.com/SU/C9hdqKvu7d2B67d7MY6U30== |
| 6152 | Class Assignment - https://simbli.eboardsolutions.com/SU/F9WhsaCplpT7bJX5yjyveg== |
| 6159 | Individualized Education Program - https://simbli.eboardsolutions.com/SU/hUal4cs8GvTNlJObCvMD1w== |
| 6159.1 | Procedural Safeguards And Complaints For Special Education - https://simbli.eboardsolutions.com/SU/PTDewf17ZdSI9fr8hmvXrg== |
| 6159.1 | Procedural Safeguards And Complaints For Special Education - https://simbli.eboardsolutions.com/SU/NNOhvcAdVrRXUOt4HOvGkA== |
| 6159.2 | Nonpublic, Nonsectarian School And Agency Services For Special Education - https://simbli.eboardsolutions.com/SU/M0slshEmEWPJcl6PmGxlEA26g== |
| 6159.3 | Appointment Of Surrogate Parent For Special Education Students - https://simbli.eboardsolutions.com/SU/oWPIDDOaHFKVgkjrjDslshjyA== |
| 6164.2 | Guidance/Counseling Services - https://simbli.eboardsolutions.com/SU/UJLy61SPu3ykXzwHDslsh6lWw== |
| 6164.4 | Identification And Evaluation Of Individuals For Special Education - https://simbli.eboardsolutions.com/SU/R2L7W2V9VLamPAAfbes090== |
| 6164.5 | Student Success Teams - https://simbli.eboardsolutions.com/SU/YKLByzVrGaiyvISpluwD9ghO== |
| 6171 | Title I Programs - https://simbli.eboardsolutions.com/SU/slshDtGUqzWBLimnxxDOVslsh31g== |
| 6173 | Education For Homeless Children - |

9124 Attorney - <https://simbli.eboardsolutions.com/SU/oZK6oDvmeWHdgcZYlxsIshOnw==>

9200 Limits Of Board Member Authority - <https://simbli.eboardsolutions.com/SU/6ejnLPMvDZSCmbydcxE5ZA==>

9322 Agenda/Meeting Math :/: