

Kings River Union Elementary 2008-2009 Uniform Complaint Procedures

The Board of Education recognizes that the district has primary responsibility for insuring that it complies with applicable state and federal laws and regulations governing educational programs. The district shall investigate and seek to resolve complaints at the local level. The district shall follow the Uniform Complaint Procedures (UCP) when addressing complaints.

These complaints would include unlawful discrimination against any protected group as identified in Educational or Governmental Codes, including actual or perceived sex, ethnicity, religion, age, gender, sexual orientation, race, national origin, physical or mental disability, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, or failure to comply with state and/or federal laws in adult education, consolidated categorical aid programs, migrant education, vocational education, child care and development programs, and special education programs. Unlawful discrimination complaints shall be filed not later than six months from the date the alleged discrimination occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged discrimination.

The Board acknowledges and respects students and employees 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 complaint 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 participating in complaint procedures, including but not limited to the filing of a complaint or the reporting of instances of discrimination. Such participation shall not in any way affect the status, grades or work assignments 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 to be 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 regulators.

COMPLIANCE OFFICERS:

The Board of Education designates the Superintendent/Principal and the Assistant Principal to receive and investigate complaints and ensure district compliance with law.

NOTIFICATIONS:

Notification of the UCP will be included in the District's handbook and mailed to each household. Printed flyers are available in Kings River's office. In addition, the UCP policy is posted in the school and district office.

PROCEDURE:

The following procedure shall be used to address all complaints that allege that the district has violated federal or state laws or regulations governing educational programs. Compliance officers shall maintain a record of each complaint as required for compliance with the California Code of Regulations, Title 5, Section 4631.

FILING AND INVESTIGATION OF A COMPLAINT:

The complainant shall submit a complaint in writing to the Superintendent/Principal or the Assistant Principal. The District will use local procedures to investigate and produce a written report of the investigation within 60 days of the receipt of the complaint unless the complainant agrees in writing to extend the time line. The District will notify the complainant of the right to appeal to the California Department of Education.

APPEALS:

After the receipt of the District's decision on the investigation, the complainant may appeal to the California Department of Education within 15 days of the decision. At any time the District may resolve the complaint and the process would end at that point. If an agreement cannot be reached then the complainant may continue the appeal process to the Office of the Superintendent of Public Instruction, California Department of Education, who will then make a decision within 35 days of the receipt of the complaint. The appeal must include a copy of the locally filed complaint and a copy of the Local Education Agency decision.