

Elk Grove Unified School District

**ANNUAL NOTIFICATION OF THE UNIFORM COMPLAINT
PROCEDURES (UCP)**

2022-2023 SCHOOL YEAR

(Board Policy 1312.3)

For students, employees, parents/guardians, school and district advisory committee members, private school officials, and other interested parties

The Elk Grove Unifi annually notifies our students, employees, parents or guardians of its students, the district advisory committee, school advisory committees, appropriate private school officials, and other interested parties of our Uniform Complaint Procedures (UCP) process.

The UCP Annual Notice is available on our website.

We are primarily responsible for compliance with federal and state laws and regulations, including those related to unlawful discrimination, harassment, intimidation or bullying against any protected group, and all programs and activities that are subject to the UCP.

Programs and Activities Subject to the UCP

The UCP shall also be used when addressing complaints alleging failure to comply with state and/or federal laws in:

- Accommodations for Pregnant and Parenting Pupils
- Adult Education
- After School Education and Safety
- Agricultural Career Technical Education
- Career Technical and Technical Education, Career Technical, Technical Training Programs
- Child Care and Development
- Compensatory Education
- Consolidated Categorical Aid Programs
- Course Periods without Educational Content
- Discrimination, harassment, intimidation, or bullying against any protected group as identified under sections 200 and 220 and Section 11135 of the Government Code, including any actual or perceived characteristics set forth in Section 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 Section 210.3, that is funded directly by, or that receives benefits from any state financial assistance.

- Educational and graduation requirements for pupils in foster care, pupils who are homeless, pupils from military families and pupils formerly in Juvenile Court now enrolled in a school district
- Every Student Succeeds Act
- Local Control and Accountability Plans (LCAP)
- Migrant Education
- Physical Education Instructional Minutes
- Pupil Fees
- Reasonable Accommodations to a Lactating Pupil
- Regional Occupational Centers and Programs
- School Plans For Student Achievement
- School Safety Plans
- Schoolsite Councils
- State Preschool
- State Preschool Health And Safety Issues In LEAs Exempt From Licensing

And any other state or federal education program the State Superintendent of Public Instruction (SSPI) of the California Department of Education (CDE) or designee deems appropriate.

Filing a UCP Complaint

A UCP complaint shall be filed no later than one year from the date the alleged violation occurred.

For complaints relating to Local Control and Accountability Plans (LCAP), the date of the alleged violation is the date when the reviewing authority approves the LCAP or annual update that was adopted by our agency.

Pupil Fees

1. A pupil enrolled in any of our public schools shall not be required to pay a pupil fee for participation in an educational activity.
2. A pupil fee complaint may be filed with the principal of a school or our superintendent or their designee.
3. A pupil fee or LCAP complaint may be filed anonymously, that is, without an identifying signature, if the complainant provides evidence or information leading to evidence to support an allegation of noncompliance.

Responsibilities of Elk Grove Unified School District

We shall post a standardized notice, in addition to this notice, with educational and graduation requirements for pupils in foster care, pupils who are homeless, pupils from military families and pupils formerly in Juvenile Court now enrolled in a school district.

We advise complainants of the opportunity to appeal an Investigation Report of complaints regarding programs within the scope of the UCP to the Department of Education (CDE).

We advise complainants of civil law remedies, including injunctions, restraining orders, or other remedies or orders that may be available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable.

For UCP Complaints Regarding State Preschool Health and Safety Issues Pursuant to Section 1596.7925 of the California *Health and Safety Code* (HSC)

In order to identify appropriate subjects of state preschool health and safety issues pursuant to Section 1596.7925 of the California *Health and Safety Code* (HSC) a notice shall be posted in each California state preschool program classroom in each school in our agency.

The notice is in addition to this UCP annual notice and addresses parents, guardians, pupils, and teachers of (1) the health and safety requirements under Title 5 of the California *Code of Regulations* (5 CCR) that apply to California state preschool programs pursuant to HSC Section 1596.7925, and (2) the location at which to obtain a form to file a complaint.

Additional Information

We shall post a standardized notice of the educational rights of foster and homeless youth, former juvenile court pupils now enrolled in a school district, and pupils in military families as specified in Education Code Sections 48645.7, 48853, 48853.5, 49069.5, 51225.1 and 51225.2. This notice shall include complaint process information, as applicable

Contact Information

Complaints other than issues relating to pupil fees must be filed in writing with the following designated to receive complaints:

Name or title: Legal Compliance Specialist

Unit or office: Human Resources

Address: Human Resources Department, Elk Grove Unified School District, 9510 Elk Grove-Florin Road, Elk Grove, CA 95624

Phone: (916) 686-7795

E-mail address: legalcompliance@egusd.net

The above, responsible for compliance and investigations, is knowledgeable about the laws and programs assigned to investigate.

The compliance officer who receives a complaint may assign another compliance officer to investigate and resolve the complaint. The compliance officer shall promptly notify the complainant and respondent, if applicable, if another compliance officer is assigned to the complaint.

A pupil fees complaint is filed with the Superintendent or his designee and/or the principal of a school.

Complaints alleging discrimination, harassment, intimidation, or bullying, must be filed within six (6) months from the date the alleged discrimination, harassment, intimidation, or bullying, occurred or the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying, 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 time period may be extended by written agreement of the complainant. The person responsible for investigating the complaint shall conduct and complete the investigation in accordance with local procedures adopted under section 4621.

The complainant has a right to appeal our Decision of complaints regarding specific programs, pupil fees and the LCAP to the California Department of Education (CDE) by filing a written appeal within 15 days of receiving our Decision. The appeal must be accompanied by a copy of the originally-filed complaint and a copy of our Decision.

The complainant is advised of civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable.

Notwithstanding the process for written complaints, any individual who believes that he/she or another student or group has been subjected to unlawful discrimination may orally report the alleged discrimination to the involved student's teacher (or a teacher of a student in the alleged group), or to the principal, or to the principal's designee of the school site where the alleged discrimination occurred. The principal or principal's designee shall, in process of following up on the report, inform the individual making the report of the right to file a written complaint. If the individual making the oral report does not want to file a written complaint, does not want to be identified, or does not give names of the perpetrators, the school still may have a duty to respond in some way depending on the seriousness of the allegations and the risk of future harm to the student or others. However, the extent to which these concerns can be investigated and/or responded to may be limited given the lack of information made available to the District. The

District's response to the oral reporting of concerns of unlawful discrimination shall follow the process set forth in the local UCP.

A copy of our UCP complaint policies and procedures is available free of charge and is available on the District's website at the following link: https://www.egusd.net/District/About-EGUSD/PoliciesProceduresNotices/#Uniform_Complaint_Procedures/Annual_Notice

For more information regarding the District's uniform complaint procedures or assistance with the complaint or investigation process, please contact the Legal Compliance Office in Human Resources at (916) 686-7795.