

Resolution of Discrimination/Harassment Complaint

Uniform Complaints Procedures for pupils, parents, teachers, and community.

Where and How to File A Complaint of Discrimination, Harassment, Intimidation, and Bullying

The *California Code of Regulations* (Title 5, Section 4600 et seq.) requires the districts, among other things, to adopt and publish procedures referred to as the Uniform Complaint Procedures (UCP) that provide for prompt and equitable resolution of discrimination, harassment, intimidation, and bullying complaints. The district must notify students, employees, and parents, as well as others, of its local complaint procedures and identify the person or persons responsible for processing complaints.

If you are a student, parent or interested third party or organization and you want to report an instance of discrimination, harassment, intimidation and bullying, a complaint must be filed with your school district no later than six months from the date the incident occurred, or the date you first obtained knowledge that the incident occurred. Your school district may have a complaint form available for your use. It is a good idea to make a copy of the complaint for the record.

Response to complaints

Within 60 days from the date of receipt of the complaint, the district shall conduct and complete an investigation of the complaint and prepare a written decision. During this process, the person responsible for the filing of the complaint is to be given the opportunity to provide evidence he/she believes supports the allegations. The district decision should include: (1) findings of fact; (2) conclusions of law; (3) disposition of the complaint; (4) the rationale for such disposition; (5) corrective actions, if necessary; (6) notice of the right to appeal the district's decision to the California Department of Education (CDE) within 15 days; and, (7) the procedures to be followed to initiate such an appeal. If the school district fails to follow any of these rules a complaint can be filed directly with the CDE.

Appeals

The district has **60 days** to complete an investigation and provide a written decision to the person filing the complaint. If the person disagrees with the findings of the investigation he/she has the right to appeal those findings within **15 days** of receiving the decision to the CDE. In addition, an appeal to the Department can be filed should the district fail to provide a written response. This appeal must be received by the Department within **15 days** of the date the response was due.

For any questions regarding appeals please contact the Education Equity UCP Appeals Office at 916-319-8239 or e-mail eeucpappeals@cde.ca.gov.

Questions: Education Equity UCP Appeals Office |
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