



SAN DIEGO COUNTY OFFICE OF EDUCATION

6401 LINDA VISTA ROAD, SAN DIEGO, CALIFORNIA 92111-7399 (858) 292-3500

Superintendent of Schools

Randolph E. Ward, Ed.D.

September 10, 2013

To: SDCOE Employees

From: Michele Fort-Merrill
Assistant Superintendent, Human Resources

SAN DIEGO COUNTY OFFICE OF EDUCATION Annual Notification of Uniform Complaint Procedures (UCP)

ATTENTION: EMPLOYEES, PUPILS, PARENTS/GUARDIANS, ADVISORY COMMITTEE MEMBERS, OTHER INTERESTED PARTIES

The San Diego County Superintendent of Schools has the primary responsibility to ensure compliance with applicable state and federal laws and regulations and has established procedures to address allegations of unlawful discrimination, harassment, intimidation, and bullying, and complaints alleging violation of state or federal laws governing educational programs.

The County Superintendent of Schools shall investigate and seek to resolve complaints using policies and procedures known as the Uniform Complaint Procedures (UCP) adopted by the County Superintendent of Schools. Unlawful discrimination, harassment, intimidation, or bullying complaints may be based on actual or perceived sex, sexual orientation, gender, gender identity or expression, genetic information marital or parental status, ethnic group identification, race or ethnicity, ancestry, nationality, national origin, religion, color, mental or physical disability, age, or any other characteristic identified in Education Code sections 200 and 210, Penal Code section 422.55, or Government Code section 11135, or on a person's association with a person or group with one or more of these actual or perceived characteristics, in any program or activity that receives or benefits from state financial assistance.

The UCP shall also be used when addressing complaints alleging failure to comply with state law prohibiting the requirement for a pupil to pay a pupil fee, deposit, or other charge for participation in an educational activity or with state and/or federal laws in consolidated categorical aid programs, migrant education, career/technical education, child care and developmental programs, child nutrition programs, and special education programs.

Except for complaints regarding pupil fees, complaints must be filed in writing with the following Compliance Officer:

Assistant Superintendent, Student Services and Programs
San Diego County Office of Education
6401 Linda Vista Road
San Diego, CA 92111-7399
(858) 292-3637

Board of Education

Mark C. Anderson Susan Hartley Sharon C. Jones Lyn Neylon Gregg Robinson

SERVICE AND LEADERSHIP

Complaints regarding pupil fees may be filed with the principal, who shall resolve the complaint or ensure that it is forwarded in a timely manner to the Compliance Officer. The complaint may be filed anonymously if it provides evidence, or information leading to evidence, to support an allegation of noncompliance with laws regarding pupil fees.

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 County Superintendent of Schools 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 sixty (60) day 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 California Code of Regulations, Title 5, sections 4680-4687, and in accordance with procedures presented in Administrative Regulation 1312.3, Uniform Complaint Procedures

The complainant has a right to appeal the County Superintendent of Schools' Decision to the California Department of Education (CDE) by filing a written appeal within 15 days of receiving the Decision. The appeal must include a copy of the complaint filed with the County Superintendent of Schools and a copy of the County Superintendent of Schools' Decision.

Civil law remedies may be available under state or federal discrimination, harassment, intimidation, or bullying laws, if applicable. In appropriate cases, an appeal may be filed pursuant to Education Code Section 262.3. A complainant may pursue available civil law remedies outside of the County Superintendent of Schools' complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders.

The County Superintendent of Schools' Uniform Complaint Procedures are available on the San Diego County Office of Education website, and copies are available free of charge from the Compliance Officer.