

Annual Notification of Uniform Complaint Procedures (UCP) 2022-2023

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

The San Diego County Superintendent of Schools has the primary responsibility for compliance with federal and state laws and regulations. We have established Uniform Complaint Procedures (UCP) to address allegations of unlawful discrimination, harassment, intimidation, and bullying, and complaints alleging violation of state or federal laws governing educational programs, the charging of unlawful pupil fees and the non-compliance of our Local Control and Accountability Plan (LCAP).

The County Superintendent of Schools shall investigate all allegations of unlawful discrimination, harassment, intimidation or bullying against any protected group as identified in Education Code section 200 and 220 and Government Code section 11135, including any actual or perceived characteristics as set forth in Penal Code section 422.55, 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 the LEA, as defined in Section 210.3, that is funded directly by, or that receives or benefits from, any state financial assistance.

The UCP shall also be used when addressing complaints alleging failure to comply with state and/or federal laws in the programs below, along with any other state or federal education program the State Superintendent of Public Instruction of the California Department of Education or designee deems appropriate:

- Accommodations for Pregnant and Parenting Pupils
- Adult Education
- After School Education and Safety
- Agricultural Vocational Education
- Career Technical and Technical Education, Career Technical, Technical Training (state)
- Child Care and Development Programs
- Compensatory Education
- Consolidated Categorical Aide Programs
- Course Periods without Educational Content
- State Preschool
- State Preschool Health and Safety Issues in LEAs Exempt from Licensing
- Regional Occupational Centers and Programs
- School site Councils
- Education and Graduation Requirements of Pupils in Foster Care and Pupils who are Homeless, and former Juvenile Court Pupils now enrolled in a school district
- Every Student Succeeds Act
- Local Control Accountability Plans (LCAP)
- Migrant Education
- Physical Education Instructional Minutes
- Pupil Fees
- Reasonable Accommodations to a Lactating Pupil
- School Plans for Student Achievement
- School Safety Plans

UCP

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Responsibilities of the San Diego County Office of Education

A standardized notice, in addition to this notice, will be posted 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.

Copies of the UCP policy, administrative regulation, and annual notification are available free of charge. A complaint form may be obtained at the school office, district office, or downloaded from the San Diego County Office of Education website at <https://www.sdcoe.net/uniform-complaint-procedures>.

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.

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 classroom in each in our agency.

This 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.

Pupil Fees

A pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity.

A pupil fee includes, but is not limited to, all of the following:

1. A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory or is for credit.
2. A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, clothes, or other materials or equipment.
3. A purchase that a pupil is required to make to obtain materials, supplies, equipment, or clothes associated with an educational activity.

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

A pupil fees complaint may be filed with the principal, who shall resolve the complaint or ensure that it is forwarded in a timely manner to the Lead Compliance Officer.

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 non-compliance.

Complaints other than issues relating to pupil fees must be filed in writing with the Lead Compliance Officer who is designated to receive complaints:

Carol Tomeo
Director, Human Resources
Lead Compliance Officer
San Diego County Office of Education
6401 Linda Vista Road
San Diego, CA 92111-7399
858-295-8803
uniform.complaint.procedure@sdcoe.net

The above contact is knowledgeable about the laws and programs that they are assigned to investigate in the San Diego County Office of Education.

Complaints alleging discrimination, harassment, intimidation, or bullying, must be filed within one year 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 Compliance Officer.

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 Compliance Officer shall conduct and complete the investigation in accordance with local procedures adopted under section 4621.

The complainant has a right to appeal the decision on 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 the decision. The appeal must be accompanied by a copy of the originally-filed complaint and a copy of the decision.