

SAN LEANDRO UNIFIED SCHOOL DISTRICT

ANNUAL NOTICE OF UNIFORM COMPLAINT PROCEDURES

(For a complete copy of the Uniform Complaint Procedures,
refer to Board Policy and Administrative Regulations 1312.3)

The San Leandro Unified School District Board of Education recognizes that the District has primary responsibility for ensuring 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), as set forth in Board Policy and Administrative Regulation 1312.3, when addressing complaints alleging:

- Unlawful discrimination, harassment, intimidation, and bullying, against any protected group as identified under Education Code 200 and 220 and Government Code 11135, or Penal Code 422.55, including actual or perceived sex, sexual orientation, gender, gender identity and gender expression, ethnic group identification, race or ethnicity, ancestry, national origin, nationality, religion, color, genetic information, mental or physical disability, marital or parental status, age, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics.
- Failure to comply with state or federal law in adult basic education, consolidated categorical aid programs, migrant education, career/technical and technical education programs, child care and development programs, child nutrition programs, and special education programs.

The Board acknowledges and respects student and employee rights to privacy. Therefore, discrimination complaints shall be investigated in a manner that protects the confidentiality of the parties.

This includes keeping the identity of the complainant 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 Superintendent or designee 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 as 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 or designee may offer mediation. In accordance with uniform complaint procedures, whenever all parties to a complaint agree to try resolving their problem through mediation, the Superintendent or designee shall initiate a mediation process. The Superintendent or designee shall ensure that mediation results are consistent with state and federal laws and regulations.

Complaint Process:

1. **Informal Resolution:** Before initiating a formal complaint, an attempt may be made to informally resolve the issues through a discussion with the complainant and the relevant parties.
2. **Formal Complaint:** If a resolution cannot be reached at the informal level, the complainant should submit a complaint form to the Deputy Superintendent, Educational Services
3. **Investigation:** The Superintendent or designee will investigate the complaint and provide a written report of the investigation and decision. The decision will contain the complaint, corrective actions (if any), rationale for such disposition, the right to appeal the decision to the Board of Education within five days and procedures for initiating an appeal, within 15 days of receiving the District's final written decision, to the California Department of Education.
4. **Appeals:** If the complainant disagrees with the written decision, he/she may appeal the decision to the Board of Education within 5 days of receiving the District's written decision.

5. Timeline: The formal complaint process, including appeals to the Board of Education, shall be concluded within 60 calendar days from the District's receipt of the complaint, unless the complainant agrees in writing to an extension of time.
6. Discrimination Claims: A complaint alleging discrimination must be initiated no later than six (6) months from the date when the alleged discrimination or violation of law occurred or when the complainant first obtained knowledge of the facts of the alleged discrimination or violation of laws.
7. Civil Law Remedies: A complainant may also pursue civil law remedies, such as injunctions or restraining orders through local, state, or federal legal aid agencies, offices, local mediation centers, or public/private interest attorneys. Local agencies that may be able to offer assistance include the Alameda County Bar Association and the legal Aid Society of Alameda County. Complainants have a right to seek civil law remedies no sooner than sixty days have elapsed since filing an appeal with the California department of Education, with the exception of injunctive relief, for which the moratorium does not apply.

Complaints should be directed to:

Deputy Superintendent, Educational Services
San Leandro Unified School District
835 E. 14th Street, Suite 200
San Leandro, California 94577

This notice shall be distributed annually to parents/legal guardians in the District's Student and Parent/Legal Guardian Handbook. This notice shall also be distributed to all school sites, and district to office departments for distribution to students, employees, advisory committees, appropriate private school officials/representatives, and other interested parties. A complete copy of the complaint procedures is available, free of charge, at the school site or at the District Office at 835 E. 14th Street, Suite 200, San Leandro, California 94577

San Leandro Unified School District

UNIFORM COMPLAINT PROCEDURES
COMPLAINT FORM

FOR OFFICE USE ONLY

Date Received: _____
Received by: _____
Log No. _____
Response Due: _____
Mailed to: _____
Date Mailed: _____
Copy filed by: _____

Please complete the following form if there is a complaint involving Program Non-compliance/Discrimination or Discrimination against any protected group as listed in Board Policy 1312.3. Submit this complaint form to the District Office, Deputy Superintendent of Educational Services 835 E. 14th Street, Suite 200, San Leandro, CA 94577. The telephone number is (510) 667-3538, FAX (510) 667-6234. Expect a response within thirty (30) calendar days.

TO: Deputy Superintendent, Educational Services
San Leandro Unified School District
835 E. 14th Street, Suite 200
San Leandro, California 94577

FROM: _____
Name(s)

Address

Telephone Number(s)

Name of school, program or office or name of employee and job location against whom charge or complaint was directed:

(A copy of the written complaint against an employee will be provided to the employee, except for sexual harassment and discrimination complaints.)

Nature of complaint:

Please check next to the kind of complaint you are presenting:

Program Non-compliance/Program Discrimination: and/or Discrimination, harassment, intimidation, and bullying on basis of:

- | | |
|---|---|
| <input type="checkbox"/> Adult Basic Education | <input type="checkbox"/> Ethnic Group Identification |
| <input type="checkbox"/> Program for English Learners | <input type="checkbox"/> Race or Ethnicity |
| <input type="checkbox"/> Career Technical Ed. & Civil Rights | <input type="checkbox"/> Ancestry/National Origin, Nationality |
| <input type="checkbox"/> Child Care and Development | <input type="checkbox"/> Religion |
| <input type="checkbox"/> Child Nutrition | <input type="checkbox"/> Color |
| <input type="checkbox"/> Consolidated Categorical Programs | <input type="checkbox"/> Mental/Physical Disability |
| <input type="checkbox"/> Educational Equity | <input type="checkbox"/> Actual or perceived Sexual orientation |
| <input type="checkbox"/> Gifted and Talented Education (GATE) | <input type="checkbox"/> Gender |
| <input type="checkbox"/> State Compensatory Education (SCE) | <input type="checkbox"/> Sex |
| <input type="checkbox"/> School Improvement Program (SIP) | <input type="checkbox"/> Sexual Harassment |
| <input type="checkbox"/> Special Education | <input type="checkbox"/> Sexual Orientation |
| <input type="checkbox"/> | <input type="checkbox"/> Gender Identity* |
| <input type="checkbox"/> Safe and Drug Free Schools & Tobacco Use and Prevention Education (TUPE) | <input type="checkbox"/> Gender Expression** |
| <input type="checkbox"/> | <input type="checkbox"/> Genetic Information*** |
| <input type="checkbox"/> Title IX Sex Discrimination | <input type="checkbox"/> Nationality |
| <input type="checkbox"/> Student Fees/Charges for Participation in Educational Activities | <input type="checkbox"/> Age |
| | OTHER _____ |

(*gender identity; **gender expression; ***Genetic information, see page E(3)1312.3(d))

When did event(s) occur? Date(s): _____

Has charge or complaint been discussed with the school principal, employee or his/her supervisor?

To whom, if anyone, have you spoken? (Write name(s) in spaces provided.)

- ___ Director _____ Date: _____
- ___ Principal _____ Date: _____
- ___ Assistant Principal _____ Date: _____
- ___ Counselor _____ Date: _____
- ___ Teacher _____ Date: _____
- ___ Supervisor _____ Date: _____
- ___ Staff Member _____ Date: _____
- ___ Other _____ Date: _____

If a discussion took place, what was the result of the discussion?

If you desire a remedy or wish the District to take a particular course of action, please specify:

I understand that the District will maintain this information confidential, to the extent provided by law; that I will be protected from retaliation for filing this complaint; that the District may request further information about this matter; and if such information is available, I agree to present it upon request.

I believe that the foregoing is true and correct.

Signature: _____ Date: _____

*Gender identity is defined as a person’s identity, expression, or physical characteristics regardless of whether those characteristics are traditionally associated with one’s assigned biological sex at birth. Gender identity refers to the gender the individual experiences.

**Gender expression refers to the ways in which people externally communicate their gender identity to others through behavior, clothing, hairstyle, voice and other forms of presentation.

***Genetic information includes information about an individual’s genetic tests and the genetic tests of an individual’s family members, as well as information about the manifestation of a disease or disorder in an individual’s family members (i.e. family medical history).