

**UNIFORM COMPLAINT PROCEDURE  
COMPLAINTS CONCERNING SCHOOL PERSONNEL AND COMPLAINTS  
ALLEGING UNLAWFUL DISCRIMINATION, HARASSMENT, INTIMIDATING,  
OR BULLYING OR VIOLATION OF LAWS OR REGULATIONS GOVERNING  
SPECIFIED DISTRICT PROGRAMS OR ACTIVITIES**

**I. COMPLAINTS CONCERNING SCHOOL PERSONNEL**

**A. Purpose**

The District shall have the primary responsibility to ensure compliance with applicable State and Federal laws and regulations (T5CCR 4620). The person (s), employee(s), positions(s), or units(s) responsible for receiving complaints shall be knowledgeable about the laws/programs that he/she is assigned to investigate and will ensure LEA/District compliance.

The purpose of this complaint procedure is to ensure that all complaints against employees will be handled quickly and expeditiously with fair and proper treatment to the person bringing the complaint and to the employee. The District shall investigate complaints alleging failure to comply with applicable State and Federal laws and regulations and/or alleging discrimination, harassment, intimidation, or bullying, and seek to resolve those complaints in accordance with the procedures set out in Sections 4600 – 4687 of the Title 5 Regulations and in accordance with the policies and procedures of the governing board. (T5CCR 4610, 4620, and 4621)

Notwithstanding the foregoing complaint procedures, the following procedures shall be followed when a written complaint is filed with the District alleging unlawful discrimination, harassment, intimidation, or bullying regarding actual or perceived sex, sexual orientation, gender, gender identity, gender expression, ethnic group identification, race, ancestry, national origin, religion, color, mental or physical disability, 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. (PC 422.55, EC 220, T5CCR 4610)

**B. Procedure**

The District will 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 422.5 or on the basis or 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 District, which is funded directly by or that receives or benefits from any State financial assistance. (EC 11135, EC 200, 220, 234.1, 5CCR and 4610, PC 422.55).

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The District shall investigate complaints alleging failure to comply with applicable State and Federal laws and regulations including, but not limited to, allegations about discrimination, harassment, intimidation, bullying and noncompliance with laws relating to pupil fees for participation in an educational activity and seek to resolve those complaints in accordance with the District's Uniform Complaints (EC 234.4, 49010; 5CCR 4610, 4260-4621) and District's Administrative Regulation Fees and Charges (AR 3260).

If the District finds merit in a complaint regarding Pupil Fees; Local Control and Accountability Plan (LCAP); Education of Pupils in Foster Care; Pupils who are Homeless; former Juvenile Court Pupils now enrolled in a school district and pupils in military families; Reasonable Accommodations to a Lactating Pupil; Course Periods without Educational Content; (grades nine through twelve) the District shall provide a remedy. The remedy shall go to the affected pupil in the class of complaints regarding Course Periods without Educational content; Reasonable Accommodations to a Lactating Pupil, and/or Education of Pupils in Foster care, Pupils who are Homeless, former Juvenile Court Pupils now enrolled in the District, and pupils in military families. The remedy shall go to all affected pupils and parents/guardians in the case of complaints regarding: Pupil Fees, Physical Education Instructional Minutes, and/or LCAPS. The District will attempt in good faith by engaging in reasonable efforts to identify and fully reimburse all pupils, parents, and guardians who paid a pupil fee within one year prior to the filing of the complaint (5CCR 4600 (a)). (AR 3260).

The District will annually disseminate a written notice of the District's complaint procedures to all students, employees, parents, or guardians of its students, school and District advisory committee members, appropriate private school officials or representatives, and other interested parties that includes information regarding allegations about discrimination, harassment, intimidation, or bullying. A pupil fees complaint and/or LCAP complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance. The UCP Annual Notice will advise complainants of the right to pursue civil law remedies under state or federal discrimination, harassment, intimidation, or bullying laws. A pupil fee complaint shall be filed no later than one year from the date the alleged violation occurred (5CCR and 4630(c)(2)).

1. Step One - Informal

If the complaint is against an employee who is assigned to a school site, the complainant will first discuss the complaint with the principal or designee.

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If the complaint is against an employee that is assigned to the District site, the complainant will first discuss the complaint with the appropriate assistant superintendent. The objective of Step One is to resolve the issue informally.

2. Step Two - Principal/Formal Investigation

- a. In the event the complainant is not satisfied with the disposition of the complaint in Step One, he or she may submit the Uniform Complaint Form as a formal signed written complaint to the principal.

If the complaint is regarding a non-school site employee, he or she may submit the Uniform Complaint Form as a formal signed written complaint to the appropriate assistant superintendent.

- b. The signed written statement using the Uniform Complaint Form found on page (i) shall include:

(1) The name of each employee involved; and

(2) A brief but specific summary of the nature of the complaint and the facts surrounding same, sufficient to inform the Principal, appropriate Assistant Superintendent, or designee, and the employee as to the precise nature of the complaint. The summary shall include:

(a) A description of the event or behavior basic to the complaint;

(b) Circumstances, including time, place and persons present; and

(c) Identification of the person making the complaint, including name, address, and telephone number.

- c. The principal or designee shall conduct an investigation of the complaint. The Principal shall meet with the complainant and within ten (10) school days **after** the meeting with the complainant render a decision and the reasons therefore. If, in the opinion of the supervisor, the complaint would negatively reflect upon the employee, the employee will receive a written copy of the complaint.

3. Step Three - Superintendent or Designee

If the complainant is not satisfied with the disposition of the complaint in Step Two or if no decision has been rendered within ten (10) school days after the meeting with the complainant, the complainant may forward the completed written complaint to the Superintendent Designee within five (5) school days after the decision at Step Two. Within ten (10) school days after receipt of the written complaint by the Superintendent Designee, the Superintendent, Designee, shall meet with the

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complainant in an effort to resolve the matter. Within ten (10) school days after meeting with the complainant, the Superintendent Designee shall render to the complainant a decision regarding the complaint and will place that decision in writing if requested by the complainant.

4. Step Four- Superintendent

If the complainant is not satisfied with the disposition of the complaint in Step Three or if no decision has been rendered with ten (10) school days after the meeting with the complainant, the complainant may forward the completed written complaint to the Superintendent within five (5) school days after the decision at Step Three. Within ten (10) school days after receipt of the written complaint by the Superintendent Designee, the Superintendent shall meet with the complainant in an effort to resolve the matter. Within ten (10) school days after meeting with the complainant, the Superintendent shall render to the complainant a decision regarding the complaint and will place that decision in writing if requested by the complainant.

5. Step Five - Board of Trustees

If the complainant is not satisfied with the disposition of the complaint in Step Four or if no decision has been rendered within ten (10) school days after the meeting with the Superintendent, or designee, as stipulated in Step Four, the complainant has the right to, within ten (10) school days, request a hearing in Closed Session with the Superintendent and Board of Trustees. Within fifteen (15) school days after the Closed Session hearing, the Board of Trustees shall render to the complainant a written decision regarding the complaint. The decision of the Board of Trustees as to the disposition of the complaint shall be final.

C. General Provisions

1. The individual employee involved shall be advised of the nature of the complaint and shall be given every opportunity for explanation, comment, and presentation of the facts as he/she sees them if the complaint would be in any way negative to the evaluation of the employee.
2. Since it is important that the complaint be processed as rapidly as possible, the number of days indicated at each step should be considered a maximum and every effort should be made to expedite the process. The time specified, however, may be extended by mutual consent.
3. The District will annually disseminate a written notice of the District's complaint procedures to all students, employees, parents or guardians of its students, school and District advisory committee members, appropriate private school officials or representatives, and other interested parties that includes information regarding

allegations about discrimination, harassment, intimidation, or bullying.

Annual notice will be facilitated in the following manner:

- a. Employees – Annual update of the faculty hand book.
  - b. Students, parents, and/or guardians – Annual District summer mailer
  - c. Advisory committees – On the meeting agenda of the first meeting of the year.
  - d. Private school officials – Annual mailing of policy letter
  - e. Other interested parties – As requested
4. Refusal by the complainant to provide the investigator with documents or other evidence related to the allegations in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in the dismissal of the complaint because of lack of evidence to support the allegations. (T5CCR 4631).
  5. Refusal by the District to provide the investigator with access to records and/or other information related to the allegation in the complaint, or to otherwise fail to refuse or cooperate in the investigation or engage in any other obstruction of the investigation, may result in a finding based on evidence collected that a violation has occurred and may result in the imposition of a remedy in favor of the complainant. (T5CCR 4631)

## II. COMPLAINTS ALLEGING UNLAWFUL DISCRIMINATION, HARASSMENT, INTIMIDATION, OR BULLYING, OR VIOLATIONS OF LAWS OR REGULATIONS GOVERNING SPECIFIED DISTRICT PROGRAMS OR ACTIVITIES

### A. Purpose

The District prohibits bullying as defined in Administrative Regulation 5642. This includes, but is not limited to, discrimination, harassment, intimidation, and bullying based on the actual or perceived characteristics set forth in Penal Code Section 422.55 and Education Code Section 220, and disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics. Persons wishing to anonymously report bullying may do so by calling 1-800-924-7233, or sending an email to Executive Director of Administrative Services, Dr. Karl Zener, at [kzener@fjuhsd.org](mailto:kzener@fjuhsd.org). Although anonymous complaints will be investigated, anonymous complaints will not receive the written report to which they would otherwise be entitled under the uniform complaint procedure.

Notwithstanding the foregoing complaint procedures, the following procedures shall be followed where a written complaint is filed with the District alleging unlawful discrimination, harassment, intimidation, or bullying, or a violation of federal or state laws or regulations governing the following programs:

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Notwithstanding the foregoing complaint procedures, the following procedures shall be followed where a written complaint is filed with the District alleging unlawful discrimination, harassment, intimidation, or bullying, or a violation of federal or state laws or regulations governing the following programs:

- Adult Education
- After School Education and Safety
- Agriculture Career Technical Education
- Career Technical and Technical Education; Career Technical; Technical Training (State)
- Career Technical Education (Federal)
- Child Care and Development
- Compensatory Education
- Consolidated Application
- Course Periods without Educational Content
- Education of Pupils in Foster Care, Pupils Who Are Homeless, Former Juvenile Court Pupils now Enrolled in a School District, and Pupils of Military Families
- 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
- School Site Councils
- State Preschool
- State Preschool Health and Safety Issues in LEAs Exempt From Licensing

The programs and activities subject to the UCP in which the District implements are:

1. Agriculture Career Technical Education;
2. Career Technical and Technical Education (State);
3. Career Technical Education (Federal);
4. Child Care and Development;
5. Course Periods without Educational Content;

6. Education of Pupils in Foster Care, Pupils Who Are Homeless, Former Juvenile Court Pupils Now Enrolled in a School District, and Pupils of Military Families;
7. Every Student Succeeds Act / No Child Left behind (Titles I-VII);
8. Local Control and Accountability Plans (LCAP);
9. Physical Education Instructional Minutes;
10. Pupil Fees;
11. Reasonable Accommodations to a Lactating Pupil;
12. Regional Occupational Programs;
13. School Safety Plans;
14. School Site Council

## B. Procedure

### 1. Step One – Informal

If the unlawful discrimination, harassment, intimidation, or bullying, complaint may be addressed at the site level, the complainant will first discuss the complaint with the Principal. The objective of Step One is to resolve the issue informally. The complaint may be communicated informally using the form provided on page (j and k).

In the event the complainant is not satisfied with the disposition of the complaint in Step One, he or she may submit the complaint as a formal signed written complaint using the Uniform Complaint Procedure Form for discrimination, harassment, intimidation, or bullying found on pages (j) to the District level officer.

### 2. Step Two - Filing of Complaint

The Executive Director, Administrative Services, or Assistant Superintendent, Education and Assessment Services, or Director, Special Education shall be the District's Compliance Officer(s). The Compliance Officer is knowledgeable about the above-referenced programs and applicable laws and shall be responsible for receiving and investigating complaints alleging unlawful discrimination, harassment, intimidation, or bullying or violations of laws regarding the programs listed on the previous page.

A complaint of unlawful discrimination harassment, intimidation, or bullying must be filed no later than six months from the date the alleged discrimination harassment, intimidation, or bullying occurred or not later than six months from the date the complainant first obtained knowledge of the facts of the alleged discrimination harassment, intimidation, or bullying. Upon written request of the complainant and for good cause, the State Superintendent of Public Instruction may extend the time for filing for up to 90 days.

### 3. Step Three - District Investigation

Investigation of the complaint shall provide an opportunity for the complainant and/or complainant's representative and District representatives to present information relevant to the complaint. The District will provide an opportunity for complainants and/or representatives to present evidence or information. The investigation process will protect the confidentiality of the complainant and the complainant shall be protected from retaliation.

### 4. Step Four - District Findings and Decision



The District's investigation shall be completed and a written decision prepared within 60 days from receipt of the complaint. This time may be extended by written agreement of the complainant. A report of findings will be assembled containing facts based on evidence gathered and the conclusion of applicable law.

The District's decision shall contain the findings of fact based on the evidence gathered; conclusion of law; disposition of the complaint; the rationale for such a disposition; corrective actions if any are warranted; notice of the complainant's right to appeal the District's decision to the California Department of Education (CDE) and procedures to be followed for initiating an appeal to CDE. To appeal the District's UCP Complaint Decision the complainant must file a written appeal within 15 calendar days of receiving the District's decision. This appeal to the CDE must fully explain the basis for the appeal, stating how the facts of the District's Decision are incorrect and/or the law is misapplied; and include (1) a copy of the locally filed complaint; and (2) a copy of the Decision.

### III. COMPLAINTS CONCERNING THE REQUIREMENTS FOR ADOPTION OF A LOCAL CONTROL AND ACCOUNTABILITY PLAN (LCAP) AND PUPIL FEES

#### A. Purpose

In addition, pursuant to Education Code Section 52075, individuals may file a complaint under the District's Uniform Complaint Procedure on page (i) alleging that the school district has not complied with the LCAP requirements and/or pupil fees in the Education Code. The complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of non compliance. If the complainant is not satisfied with the decision of the school district, the individual may appeal the decision to the State Superintendent of Public Instruction. The State Superintendent of Public Instruction is required to issue a decision on the appeal within 60 days of the Superintendent of Public Instruction's receipt of the appeal.

If the school district finds merit in the complaint or the Superintendent of Public Instruction finds merit in an appeal, the school district will provide a remedy to all affected pupils, parents, and guardians.

#### B. Procedure

##### 1. Step One – Informal

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If the concern related to non-compliance with the LCAP may be addressed at the site level, the complainant will first discuss the complaint with the Principal. The objective of Step One is to resolve the issue informally.

In the event the complainant is not satisfied with the disposition of the complaint in Step One, he or she may submit the complaint as a formal signed written complaint using the form provided on page (i) to the District level officer.

**2 Step Two - Filing of Complaint**

The Assistant Superintendent, Education and Assessment Services, shall be the District's Compliance Officer. The Compliance Officer is knowledgeable about the above-referenced programs and applicable laws and shall be responsible for receiving and investigating complaints alleging unlawful discrimination harassment, intimidation, or bullying, or violations of laws regarding the programs listed above.

A complaint of unlawful discrimination, harassment, intimidation, or bullying must be filed no later than six months from the date the alleged discrimination occurred or not later than six months from the date the complainant first obtained knowledge of the facts of the alleged discrimination. Upon written request of the complainant and for good cause, the State Superintendent of Public Instruction may extend the time for filing for up to 90 days.

**3 Step Three - District Investigation**

Investigation of the complaint shall provide an opportunity for the complainant and/or complainant's representative to present evidence or information and District representatives to present evidence or information relevant to the complaint. The investigation process will protect the confidentiality of the complainant and the complainant shall be protected from retaliation.

**4 Step Four - District Findings and Decision**

The District's investigation shall be completed and a written decision prepared within 60 days from receipt of the complaint. This time may be extended by written agreement of the complainant. A report of findings will be assembled containing facts based on evidence gathered and the conclusion of applicable law.

The District's decision shall contain the findings of fact based on the evidence gathered; conclusion of law; disposition of the complaint; the rationale for such a disposition; corrective actions if any are warranted; notice of the complainant's right to appeal the District's decision to the California Department of Education (CDE) and procedures to be followed for initiating an appeal to CDE. To appeal the District's UCP Complaint Decision the complainant must file a written appeal within 15 calendar days of receiving the

District's decision. This appeal to the CDE must fully explain the basis for the appeal, stating how the facts of the District's Decision are incorrect and/or the law is misapplied; and include (1) a copy of the locally filed complaint; and (2) a copy of the Decision.

Reference: California Code of Regulations, Title 5, Sections 4600-4687, T5CCR 4620, T5CCR 4610, 4620, and 4621, AB9: Seth's Law, AB 1575, AB 97, Education Code Section 234, 231.1, 234.2, 234.3, 234.5, 49010, 49011, 49012, 49013, 52075

Regulation approved: December 15, 1984; February 6, 1990; February 3, 1993; July 6, 1999; February 10, 2000; September 12, 2000; April 21, 2009; January 12, 2010; April 16, 2013; September 8, 2014, March 2, 2015, June 8, 2015; October 2, 2018; September 14, 2020; June 14, 2021

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Uniform Complaint Procedure  
General Complaint Reporting Form

In accordance with the District's Uniform Complaint Procedures (5 CCR 4620), each school district shall follow uniform complaint procedures when addressing complaints.

**I. Complainant Contact Information**

Name: \_\_\_\_\_  
Address \_\_\_\_\_  
City: \_\_\_\_\_ Zip: \_\_\_\_\_  
Home Phone: \_\_\_\_\_ Work/Cell Phone: \_\_\_\_\_

**II. Complainant**

You are filing this complaint on behalf of:  
 your child or a (student)     yourself

**III. School Information**

School Name: \_\_\_\_\_ Principal's Name: \_\_\_\_\_

**IV. Details of Complaint**

Please answer the following questions to the best of your ability. Attach additional sheets of paper if you need more space.

Please **describe** the issue that you experienced, in as much detail as possible. Include names of others involved and witnesses if appropriate. Include location, date (s)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Signature:**

Received by: \_\_\_\_\_ Date Filed: \_\_\_\_\_  
Title: \_\_\_\_\_

**PLEASE PROVIDE A DUPLICATE COPY TO THE COMPLAINANT.**

Uniform Complaint Procedure  
Discrimination Intimidation, Harassment, or Bullying Complaint Reporting Form

In accordance with the District's Uniform Complaint Procedures (5 CCR 4620), each school district shall follow uniform complaint procedures when addressing complaints alleging unlawful discrimination harassment, intimidation, or bullying against any protected group. Protected groups put forth under title IX and in California are enumerated by Education Code Sections 200 and 220, Government Code Section 11135, and include actual or perceived sex, sexual orientation, gender, ethnicity, race, ancestry, national origin, religion, color, mental or physical disability, and age, as well as association with member of a protected class. Additionally, it is the policy of the State of California, pursuant to Section 200, that all persons should enjoy freedom from discrimination and/or harassment, intimidation or bullying of any kind in the education institutions of the State. This also includes sexual harassment, which is a form of sexual discrimination. (EC 231.5).

**I. Contact Information**

Name: \_\_\_\_\_  
Address \_\_\_\_\_  
City: \_\_\_\_\_ Zip: \_\_\_\_\_  
Home Phone: \_\_\_\_\_ Work/Cell Phone: \_\_\_\_\_

**II. Complainant**

You are filing this complaint on behalf of:

- yourself       your child or a (student)       another student       a group

**III. School Information**

School Name: \_\_\_\_\_  
Principal's Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_

**IV. Basis of Discrimination or Harassment:**

Please check the following box(s), based on the type(s) of harassment you experienced, including *actual* or *perceived* (Education Code Sections 200 and 220, Government Code Section 11135):

- |   |   |
|---|---|
| <input type="checkbox"/> Sexual orientation | <input type="checkbox"/> Ancestry                                 |
| <input type="checkbox"/> Gender             | <input type="checkbox"/> Mental or physical disability            |
| <input type="checkbox"/> Ethnicity          | <input type="checkbox"/> Age                                      |
| <input type="checkbox"/> Race               | <input type="checkbox"/> Association with any of these categories |
| <input type="checkbox"/> National origin    | <input type="checkbox"/> Sexual Harassment                        |
| <input type="checkbox"/> Religion           | <input type="checkbox"/> Sex (Title IX)                           |
| <input type="checkbox"/> Color              | <input type="checkbox"/> Other                                    |

\*According to state law, "Gender means sex, and includes a person's gender identity and gender related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth. CA Education Code Section 210.7 and CA Penal Code Section 422.56(c).

**V. Details of Complaint**

Please answer the following questions to the best of your ability. Attach additional sheets of paper if you need more space.

Please **describe** the type of harassment or discrimination that you experienced, including the events or action, in as much detail as possible:

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List the **people** involved in harassing or discriminating against you:

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List any **witnesses** of the incident:

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Describe the **location where** the harassment/discrimination occurred:

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Please list **all the date(s) and times** when the harassment/discrimination occurred or when the alleged harassment/discrimination first came to your attention:

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**What steps**, if any, have you taken to resolve this issue before filing a complaint?

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Signature of person filing complaint

Date

Received by:

Date Filed:

Title:

### UNIFORM COMPLAINT PROCEDURES

Administrative Regulation (AR) 1312 provides for the handling of complaints alleging unlawful discrimination harassment, intimidation, or bullying or violations of laws or regulations governing specified District programs or activities. The Fullerton Joint Union High School District (District) shall have the primary responsibility to ensure compliance with the applicable State and Federal laws and regulations. The following procedures shall be followed where a written complaint is filed with the District alleging unlawful discrimination harassment, intimidation, or bullying or a violation of Federal or State laws or regulations governing the following programs: Adult Education, After School Educational Safety, Agriculture Career Technical Education, Career Technical and Technical Education; Career Technical; Technical Training (State), Career Technical Education (Federal), Child Care and Development, Child Nutrition, Compensatory Education, Consolidated Categorical Application, Course Periods without Educational Content, Education of Pupils in Foster Care, Pupils Who Are Homeless, Former Juvenile Court Pupils Now Enrolled in a School District, and Pupils of Military Families, Every Student Succeeds Act / No Child Left behind (Titles I-VII), 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, Schools Plans for Student Achievement, School Safety Plans, School Site Councils, State Preschool, and State Preschool Health and Safety Issues in LEAs Exempt from Licensing.

Karl Zener, Executive Director of Administrative Services, shall be the District's Compliance Officer for complaints dealing with students and shall also be the District's Title IX Coordinator. Ed Atkinson, Assistant Superintendent of Human Resources, shall be the District's compliance officer for complaints dealing with staff members. These individuals shall be responsible for receiving and investigating complaints.

A complaint of unlawful discrimination harassment, intimidation, or bullying must be filed no later than six months from the date the alleged discrimination harassment, intimidation, or bullying occurred or not later than six months from the date the complainant first obtained knowledge of the facts of the alleged discrimination. The District's investigation shall be completed and a written decision prepared within 60 days from receipt of the complaint.

The District's decision shall contain the findings and disposition of the complaint, including any corrective actions, the rationale for such disposition, notice of the complainant's right to appeal the District's decision to the State Department of Education within 15 days of receiving the District's decision, and the procedures to be followed for initiating an appeal to the State Department of Education. Copies of the local education agency complaint procedures shall be available free of charge.

Although not specified in AR 1312, allegations of unlawful discrimination harassment, intimidation, or bullying on the basis of ethnicity, religion, age, sex, gender, gender identity, gender expressions, race, ancestry, national origin, color, sexual orientation, physical or mental disability, or a person's association with a person with one or more of these actual or perceived characteristics, are also governed by these procedures (per Education Code Section 220). The

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complainant shall be protected from retaliation, and all information about the complaint will be confidential.

### Non-UCP Complaints

The following complaints shall not be subject to the district's UCP but shall be referred to the specified agency: (5 CCR 4611)

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services Protective Services Division and the appropriate law enforcement agency.
2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services and shall, for licensing-exempt facilities, be referred to the appropriate Child Development regional administrator.
3. Any complaint alleging fraud shall be referred to the Legal, Audits and Compliance Branch of the California Department of Education.

Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the District's Human Resources Department in accordance with state and federal laws, including the right to file the complaint with the California Department of Fair Employment and Housing.

Any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, teacher vacancies and misassignments, or health and safety violations in any license-exempt California State Preschool Program shall be investigated and resolved in accordance with the procedures in AR 1312.2 - Williams Uniform Complaint Procedures. (Education Code 8235.5, 35186)

Please visit the following website for information on filing a complaint for:

Child Nutrition Services: National School Lunch Program; [www.fns.usda.gov/nslp](http://www.fns.usda.gov/nslp)

Special Education: California Department of Education; [www.cde.ca.gov](http://www.cde.ca.gov)

5/1/20; 5/25/21 KZ/cm