

Board Policy

Uniform Complaint Procedures

BP 6463

Community Relations

The Grizzly Challenge Charter School Board of Directors recognizes that the charter school has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing its educational programs. The Board encourages the early resolution of complaints whenever possible. To resolve complaints which may require a more formal process, the Board adopts the uniform system of complaint processes specified in 5 CCR 4600-4670.

The Charter School's uniform complaint procedures (UCP) shall be used to investigate and resolve complaints regarding the following programs and activities:

1. Accommodations for pregnant and parenting students (Education Code 46015)
2. Career technical and technical education and career technical and technical training programs (Education Code 52300-52462)
3. Compensatory education (Education Code 54400)
4. Consolidated categorical aid programs (Education Code 33315; 34 CFR 299.10-299.12)
5. Course periods without educational content, when students in grades 9-12 are assigned to such courses more than one week in any semester or in a course the student has previously satisfactorily completed, unless specified conditions are met (Education Code 51228.1-51228.3)
6. Discrimination, harassment, intimidation, or bullying in Charter School programs and activities, including in those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on the person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on the person's association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)
7. Educational and graduation requirements for students in foster care, homeless students, students from military families, students formerly in a juvenile court school, migrant students, and immigrant students participating in a newcomer program (Education Code 48645.7, 48853, 48853.5, 49069.5, 51225.1, 51225.2)

8. Every Student Succeeds Act (Education Code 52059; 20 USC 6301 et seq.)
9. Local control and accountability plan (Education Code 52075)
10. Migrant education (Education Code 54440-54445)
11. Physical education instructional minutes (Education Code 51210, 51222, 51223)
12. Student fees (Education Code 49010-49013)
13. Reasonable accommodations to a lactating student (Education Code 222)
14. School plans for student achievement as required for the consolidated application for specified federal and/or state categorical funding (Education Code 64001)
15. School safety plans (Education Code 32280-32289)
16. School site councils as required for the consolidated application for specified federal and/or state categorical funding (Education Code 65000)
17. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy
18. Any other state or federal educational program the Superintendent of Public Instruction or designee deems appropriate

At its discretion, the Charter School may use the UCP for any other type of complaint as specified in a Charter School policy or regulation. (5 CCR 4610).

All complainants shall be protected from retaliation, and the confidentiality of the parties shall be protected as required by law. Records of all UCP complaints and the investigations of those complaints are to be maintained in accordance with applicable law and Charter School policies and procedures.

Non-UCP Complaints:

The following complaints shall not be subject to the Charter School's UCP but shall be investigated and resolved by the specified agency or through an alternative process:

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services Protective Services Division or the appropriate law enforcement agency. (5 CCR 4611)

2. Any complaint alleging employment discrimination or harassment shall be referred to the Charter School Principal for investigation using Charter School procedures, including the right to file the complaint with the California Department of Fair Employment and Housing.
3. Any complaint alleging a violation of a state or federal law or regulation related to special education, a settlement agreement related to the provision of a free appropriate public education, or a due process hearing order shall be submitted to CDE. (5 CCR 3200-3205)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination, especially:

222 Reasonable accommodations; lactating students

18100-18203 School libraries

32289 School safety plan, uniform complaint procedures

46015 Parental leave for students

48853-48853.5 Foster youth

48985 Notices in language other than English

49010-49013 Student fees

49060-49079 Student records, especially:

49069.5 Rights of parents

49701 Interstate Compact on Educational Opportunity for Military Children

51222 Physical education, secondary schools

51225.1-51225.2 Foster youth, homeless children, former juvenile court school students, military-connected students, migrant students, and newly arrived immigrant students; course credits; graduation requirements

51226-51226.1 Career technical education

51228.1-51228.3 Course periods without educational content

52059.5 Statewide system of support

52060-52077 Local control and accountability plan, especially:

52075 Complaint for lack of compliance with local control and accountability plan requirements

52300-52462 Career technical education

52800-52870 School-based program coordination

54400-54425 Compensatory education programs

54440-54445 Migrant education

54460-54529 Compensatory education programs

59000-59300 Special schools and centers

64000-64001 Consolidated application process

65000-65001 School site councils

GOVERNMENT CODE

11135 Nondiscrimination in programs or activities funded by state

12900-12996 Fair Employment and Housing Act

PENAL CODE

422.55 Hate crime; definition

422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 2

11023 Harassment and discrimination prevention and correction

CODE OF REGULATIONS, TITLE 5

3080 Application of section
 3200-3205 Special education compliance complaints
 4600-4670 Uniform complaint procedures
 4900-4965 Nondiscrimination in elementary and secondary education programs
 UNITED STATES CODE, TITLE 20
 1221 Application of laws
 1232g Family Educational Rights and Privacy Act
 1681-1688 Title IX of the Education Amendments of 1972
 6301-6577 Title I basic programs
 6801-7014 Title III language instruction for limited English proficient and immigrant students
 UNITED STATES CODE, TITLE 29
 794 Section 504 of Rehabilitation Act of 1973
 UNITED STATES CODE, TITLE 42
 2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended
 2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964
 6101-6107 Age Discrimination Act of 1975
 11431-11435 McKinney-Vento Homeless Assistance Act
 12101-12213 Title II equal opportunity for individuals with disabilities
 CODE OF FEDERAL REGULATIONS, TITLE 28
 35.107 Nondiscrimination on basis of disability; complaints
 CODE OF FEDERAL REGULATIONS, TITLE 34
 99.1-99.67 Family Educational Rights and Privacy Act
 100.3 Prohibition of discrimination on basis of race, color or national origin
 104.7 Designation of responsible employee for Section 504
 106.1-106.82 Nondiscrimination on the basis of sex in education programs, especially:
 106.8 Designation of responsible employee for Title IX
 106.9 Notification of nondiscrimination on basis of sex
 106.44 Response to notice of sexual harassment
 106.45 Title IX sexual harassment complaint procedures
 110.25 Notification of nondiscrimination on the basis of age

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
 Uniform Complaint Procedure 2020-21 Program Instrument
 Sample UCP Board Policies and Procedures
 U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
 Dear Colleague Letter, September 22, 2017
 Dear Colleague Letter: Title IX Coordinators, April 2015
 Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014
 Dear Colleague Letter: Harassment and Bullying, October 2010
 Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001
 U.S. DEPARTMENT OF JUSTICE PUBLICATIONS
 Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 2002
 WEB SITES
 CSBA: <http://www.csba.org>
 California Department of Education: <http://www.cde.ca.gov>
 Student Privacy Policy Office: <http://www2.ed.gov/about/offices/list/opepd/sppo>
 U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>
 U.S. Department of Justice: <http://www.justice.gov>

Federal References	Description
100.3	Prohibition of discrimination on basis of race, color or national origin
104.7	Designation of responsible employee for Section 504
106.1-106.82	Nondiscrimination on the basis of sex in education programs

106.44	Recipient's response to sexual harassment
106.45	Grievance process for formal complaints of sexual harassment
106.8	Designation of responsible employee for Title IX
106.9	Dissemination of policy
110.25	Prohibition of discrimination based on age
11023	Harassment and discrimination prevention and correction
11135	Nondiscrimination in programs or activities funded by state
12101-12213	Americans with Disabilities Act
12900-12996	Fair Employment and Housing Act
18100-18203	School libraries
20 USC 1221	Application of laws
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 1681-1688	Title IX of the Education Amendments of 1972
20 USC 6301-6576	Title I Improving the Academic Achievement of the Disadvantaged
20 USC 6801-7014	Title III language instruction for limited English proficient and immigrant students
200-262.4	Prohibition of discrimination
222	Lactation accommodations for students
28 CFR 35.107	Nondiscrimination on basis of disability; complaints
29 USC 794	Rehabilitation Act of 1973, Section 504
3080	Application of section
3200-3205	Special education compliance complaints
32289	School safety plan, uniform complaint procedures
34 CFR 100.3	Prohibition of discrimination on basis of race, color or national origin
34 CFR 104.7	Designation of responsible employee for Section 504
34 CFR 106.1-106.82	Nondiscrimination on the basis of sex in education programs
34 CFR 106.8	Designation of responsible employee for Title IX
34 CFR 106.9	Notification of nondiscrimination on basis of sex
34 CFR 110.25	Notification of nondiscrimination on the basis of age
34 CFR 99.1-99.67	Family Educational Rights and Privacy Act
35.107	Designation of responsible employee and adoption of grievance procedures
42 USC 11431-11435	McKinney-Vento Homeless Assistance Act
42 USC 12101-12213	Title II equal opportunity for individuals with disabilities
42 USC 2000d-2000e-17	Title VI and Title VII Civil Rights Act of 1964, as amended
42 USC 2000h-2-2000h-6	Title IX of the Civil Rights Act of 1964
42 USC 6101-6107	Age Discrimination Act of 1975
422.55	Definition of hate crime
422.6	Interference with constitutional right or privilege
4600-4670	Uniform complaint procedures
46015	Parental leave for students
48853-48853.5	Foster youth
48985	Notices to parents in language other than English
4900-4965	Nondiscrimination in elementary and secondary education programs
49010-49013	Student fees
49060-49079	Student records
49069.5	Rights of parents
49701	Interstate Compact on Educational Opportunity for Military Children
51222	Physical education, secondary schools
51225.1-51225.2	Foster youth, homeless children, former juvenile court school students, military-connected students, migrant students, and newly arrived immigrant students; course credits; graduation requirements
51226-51226.1	Career technical education
51228.1-51228.3	Course periods without educational content
52059.5	Statewide system of support
52060-52077	Local control and accountability plan, especially

52075	Complaint for lack of compliance with local control and accountability plan requirements
52300-52462	Career technical education
52800-52870	School-based program coordination
54400-54425	Compensatory education programs
54440-54445	Migrant education
54460-54529	Compensatory education programs
59000-59300	Special schools and centers
64000-64001	Consolidated application process
65000-65001	School site councils
794	Section 504 of the Rehabilitation Act of 1973
99.1-99.67	Family Educational Rights and Privacy

Management Resources References

CA DOE Publication	Description
California Department of Education Publication	Sample UCP Board Policies and Procedures
U.S. DOE, Office For Civil Rights Publication	Uniform Complaint Procedure 2020-21 Program Instrument
U.S. DOE, Office For Civil Rights Publication	Dear Colleague Letter: Title IX Coordinators, April 2015
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter, September 22, 2017
	Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Harassment and Bullying, October 2010
U.S. DOJ Publication	Guidance to Federal Financial Assistance Recipients Regarding Title VI, 2002
Website	U.S. Department of Justice - https://simbli.eboardsolutions.com/SU/BPwrkTmFhG0SXt3hKCVuBw==
Website	U.S. Department of Education, Office for Civil Rights - https://simbli.eboardsolutions.com/SU/HrN4mDOsAx53TBZ2HPwBvQ==
Website	CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==
Website	California Department of Education - https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==

State References

11431-11435	Description
1221	McKinney-Vento Homeless Assistance Act
1232g	Application of laws
1681-1688	Family Educational Rights and Privacy Act
2 CCR 11023	Discrimination based on sex or blindness, Title IX
	Harassment and discrimination prevention and correction - https://simbli.eboardsolutions.com/SU/haAgKnrQhVJbslsh34hY5zslsh5Q==
2000d-2000e-17	Title VI and Title VII Civil Rights Act of 1964, as amended
2000h-2-2000h-6	Title IX of the Civil Rights Act of 1964
5 CCR 3200-3205	Special education compliance complaints
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4900-4965	Nondiscrimination in elementary and secondary education programs
6101-6107	Age Discrimination Act of 1975
6301-6577	Title I basic programs

6801-7014	Title III language instruction for limited English proficient and immigrant students
Ed. Code 200-262.4	Educational equity; prohibition of discrimination on the basis of sex - https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAbNL6kKkgxQ==
Ed. Code 18100-18203	School libraries
Ed. Code 32280-32289	School safety plans
Ed. Code 46015	Parental leave for students
Ed. Code 48853-48853.5	Foster youth
Ed. Code 48985	Notices in language other than English
Ed. Code 49010-49014	Student fees
Ed. code 49060-49079	Student records
Ed. Code 49069.5	Records of foster youth
Ed. Code 49701	Interstate Compact on Educational Opportunity for Military Children
Ed. Code 51222	Physical education
Ed. Code 51225.1-51225.2	Foster youth, homeless children, former juvenile court school students; course credits; graduation requirements
Ed. Code 51226-51226.1	Career technical education
Ed. Code 51228.1-51228.3	Course periods without educational content
Ed. Code 52059.5	Statewide system of support
Ed. Code 52060-52077	Local control and accountability plan
Ed. Code 52075	Complaint for lack of compliance with local control and accountability plan requirements
Ed. Code 52300-52462	Career technical education
Ed. Code 54400-54425	Compensatory education programs
Ed. Code 54440-54445	Migrant education
Ed. Code 54460-54529	Compensatory education programs
Ed. Code 59000-59300	Special schools and centers
Ed. Code 64000-64001	Consolidated application process; school plan for student achievement
Ed. Code 65000-65001	School site councils
Gov. Code 11135	Nondiscrimination in programs or activities funded by state
Gov. Code 11135	Discrimination - https://simbli.eboardsolutions.com/SU/PcUFWeMcCJnzBrKAL0EtfQ==
Gov. Code 12900-12996	Fair Employment and Housing Act
Pen. Code 422.55	Hate crime; definition
Pen. Code 422.6	Interference with constitutional right or privilege

Approved: June 17, 2010

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