

## VENTURA COUNTY BOARD OF EDUCATION

**BOARD POLICY NO. 1312.3**

**ADOPTED: 2/24/03**

**CLASSIFICATION: Community Relations**

**REVISED: 6/28/06  
11/26/07  
05/27/14  
09/22/14  
05/23/16**

**SUBJECT: Uniform Complaint Procedures**

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The Governing Board and Superintendent recognize that the Ventura County Office of Education shall have the primary responsibility to insure compliance with applicable state and federal laws and regulations (5 CCR 4620).

The Ventura County Office of Education shall follow Uniform Complaint Procedures when investigating complaints concerning the Ventura County Office of Education alleging unlawful discrimination, including harassment, intimidation or bullying against any protected group as identified in Education Code section 200 and 220, Government Code section 11135, and Penal Code section 422.55 (disability, age, sex, gender, gender identity, gender expression, nationality, citizenship, country of origin, and national origin, race, ethnicity, ancestry, color, ethnic group identification, ethnic background, religion, or sexual orientation) or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, or any alleged violation of federal or state laws or regulations governing County Office educational programs, in any program or activity conducted by the Ventura County Office of Education that is funded directly by, or that receives or benefits from any state financial assistance.

Uniform complaint procedures shall also be used to address any complaint alleging the Office's failure to comply with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities; failure to comply with the prohibition against assigning a student to any course period without educational content as defined in Education Code section 51228.1; failure to comply with the instructional minute requirements of Education Code section 51210 (a) (7), pertaining to physical education instructional minutes; or the Office's failure to provide reasonable accommodations to a lactating pupil on a school campus as described in Education Code section 222.

The Uniform Complaint Procedures applies to the following programs administered by the Ventura County Office of Education:

- 1) Adult Education programs established pursuant to Education Code sections 8500 through 8538 and 52500 through 52616.4
- 2) Consolidated Categorical Aid Programs as listed in Education Code section 64000(a)

- 3) Migrant Education established pursuant to Education Code sections 54440 through 54445
- 4) Foster and Homeless Student Education established pursuant to Education Code section 48853.
- 5) Career and Technical Education and Career Technical and Technical Training Programs established pursuant to Education Code sections 52300 through 52480
- 6) Child Care and Development Programs established pursuant to Education Code sections 8200 through 8493
- 7) Child Nutrition Programs established pursuant to Education Code sections 49490 through 49570
- 8) Special Education Programs established pursuant to Education Code sections 56000 through 56885 and 59000
- 9) Local Control Accountability Plan (LCAP) established pursuant to Education Code section 52075.

Complaints 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; and teacher vacancies and misassignments; shall be investigated pursuant to the County Office's Williams Uniform Complaint Procedure (Administrative Regulation No. 1312.4).

The Board and Superintendent encourage the early, informal resolution of complaints at the site level whenever possible.

Upon receipt of a written complaint concerning the Ventura County Office of Education from an individual, public agency or organization, the Uniform Complaint Procedures set forth in Administrative Regulation 1312.3 shall be initiated. The Superintendent or designee shall distribute full information about these procedures.

The Board and Superintendent recognize that a mediator can often suggest an early compromise that is agreeable to all parties in a dispute. 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 before beginning a formal compliance investigation. The Superintendent or designee shall ensure that the mediation results are consistent with state and federal laws and regulations.

The Board and Superintendent acknowledge and respect student and employee rights to privacy. Discrimination, harassment, intimidation or bullying complaints shall be investigated in a manner that protects the confidentiality of the parties and the facts. This includes keeping the identity of the complainant confidential except to the extent necessary to carry out the investigation or proceedings, as determined by the Superintendent or designee on a case-by-case basis.

The Board and Superintendent prohibit retaliation in any form for the filing of a complaint, the reporting of instances of discrimination, harassment, intimidation or bullying, or participation in complaint procedures. Such participation shall not in any way affect the status, grades or work assignments of the complainant.

#### Legal References:

##### EDUCATION CODE

200-262.3	Prohibition of discrimination
8200-8498	Childcare and development programs
8500-8538	Adult basic education
18100-18179	School libraries
32289	School safety plan, uniform complaint procedure
35186	Williams uniform complaint procedure
41500-41513	Categorical education block grants
48985	Notices in language other than English
49060-49079	Student records
49490-49560	Child nutrition programs
52160-52178	Bilingual education programs
52300-5499.6	Career-technical education
52500-52616.24	Adult schools
52800-52870	School-based coordinated programs
54000-54028	Economic impact aid programs
54100-54145	Miller-Unruh Basic Reading Act
54400-54425	Compensatory education programs
54440-54445	Migrant education
54460-54529	Compensatory education programs
56000-56885	Special education programs
59000-59300	Special schools and centers
64000-64001	Consolidated application process

##### GOVERNMENT CODE

54957-54957.8	Closed sessions
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##### CODE OF REGULATIONS, TITLE 5

3080	Application of section 4600-4671
4600 - 4687	Uniform Complaint Procedures
4900-4965	Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

6301-6577	Title I basic programs
6601-6777	Title II preparing and recruiting high quality teachers and principals
6801-6871	Title III language instruction for limited English proficient and immigrant students
7101-7184	Safe and Drug-Free Schools and Communities Act
7201-7283g	Title V promoting informed parental choice and innovative programs
7301-7372	Title V rural and low-income school programs