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

SUBJECT: Uniform Complaint Procedures

The Governing Board and Superintendent recognize that the county office 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.

The County Office shall follow uniform complaint procedures when addressing complaints concerning the Ventura County Office of Education alleging unlawful discrimination, including harassment, intimidation, or bullying with respect to actual or perceived ethnic group identification, religion, gender, color, race, ancestry, national origin, physical or mental disability, age, sex, or sexual orientation, or any alleged violation of federal or state laws or regulations governing County Office educational programs, in any program or activity operated by the Ventura County Office of Education that is funded directly by, or receives or benefits from 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.

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) Career and Technical Education and Career Technical and Technical Training Programs established pursuant to Education Code sections 52300 through 52480

5) Child Care and Development Programs established pursuant to Education Code sections 8200 through 8493
6) Child Nutrition Programs established pursuant to Education Code sections 49490 through 49570

7) Special Education Programs established pursuant to Education Code sections 56000 through 56885 and 59000

8) 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; and deficiency in the Office’s provision of instruction and/or services to any student who, by the completion of grade 12, has not passed one or both parts of the high school exit examination; 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 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 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  
54460-54499.6 Career-technical education  
56000-56885 Special education programs  
59000-59300 Special schools and centers  
64000-64001 Consolidated application process

**GOVERNMENT CODE**

54957-54957.8 Closed sessions

**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