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

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 or 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

**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