

**Victor Valley Union HSD  
Administrative Regulation  
Uniform Complaint Procedures**

AR 1312.3  
**Community Relations**

**Uniform Complaint Procedures (UCP)**

**Compliance Officers:**

The following are the Victor Valley Union High School District Compliance Officers/Title IX Coordinators and their respective areas of responsibility:

Student and Parent Concerns: Assistant Superintendent – Educational Services  
Victor Valley Union High School District’s Hiring Process: Senior Director – Human Resources  
Section 504 of the Rehabilitation Act of 1973: Director Student Support Services  
Title IX Coordinator: Senior Director - Human Resources

The Superintendent or designee shall make available copies of the district’s complaint procedures free of charge.

**Notifications:**

The Superintendent or designee shall ensure annual dissemination of a written notice of our 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.

Our UCP Annual Notice shall also include information regarding the requirements of EC §§ 49010 through 49013 relating to pupil fees and information regarding the requirements of EC § 52075 relating to the LCAP.

Our UCP Annual Notice shall be in English and in the primary language, pursuant to section 48985 of the Education Code, or mode of communication of the recipient of the notice.

The person or office responsible for compliance and investigations is knowledgeable about the laws and programs assigned to investigate. The following is responsible for receiving and investigating complaints and ensuring our compliance:

Senior Director – Human Resources  
Human Resources  
16350 Mojave Drive, Victorville CA 92395  
760-955-3201

The Victor Valley Union High School District will investigate all allegations of unlawful discrimination, harassment, intimidation or bullying against any protected group as identified in EC §§ 200 and 220 and Government Code (GC) § section 11135, including any actual or perceived characteristics as set forth in Penal Code (PC) § 422.55 or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any program or activity we conduct, which is funded directly by, or that receives or benefits from any state financial assistance.

Unlawful discrimination, harassment, intimidation or bullying complaints shall be filed no later than six months from the date the alleged discrimination, harassment, intimidation or bullying occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation or bullying.

The Governing Board prohibits retaliation in any form for filing of a complaint, the reporting of instances of discrimination, or for participation in complaint procedures. Such participation shall not in any way affect the status, grades, or work assignments of the complainant.

The Governing Board acknowledges and respects student and employee rights to privacy. Discrimination complaints shall be investigated in a manner that protects the confidentiality of the parties and the facts, as required by law. 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 appropriate compliance officer, on a case-by-case basis.

We advise complainants of the right to pursue civil law remedies under state or federal Discrimination, harassment, intimidation or bullying laws.

If the Victor Valley Union High School District finds merit in a complaint regarding Pupil Fees, Local Control and Accountability Plans (LCAP), Education of Pupils in Foster Care, Pupils who are Homeless, and former Juvenile Court Pupils now enrolled in our school district, Reasonable Accommodations to a Lactating Pupil, Course Periods without Educational Content (grades nine through twelve), and Physical Education Instructional Minutes (grades seven through twelve), we shall provide a remedy. In the case of complaints regarding Course Periods without Educational Content, Reasonable Accommodations to a Lactating Pupil, and Education of Pupils in Foster Care, Pupils who are Homeless, and former Juvenile Court Pupils now enrolled in our school district, the remedy shall go to the affected pupil. In the case of complaints regarding Pupil Fees, Physical Education Instructional Minutes and LCAP, the remedy shall go to all affected pupils and parents/guardians.

A pupil fees complaint may be filed with the principal of a school or our superintendent or his or her designee.

A pupil fees complaint and/or an LCAP complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance.

A pupil fees complaint shall be filed no later than one year from the date the alleged violation occurred.

We ensure an attempt shall be made in good faith to engage 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.

We will provide an opportunity for complainants and/or representatives to present evidence or information.

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 a lack of evidence to support the allegations.

Refusal by the Victor Valley Union High School District to provide the investigator with access to records and/or other information related to the allegation 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 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.

The complaint will be investigated and a written report with a decision issued to the complainant by us within 60 days from the date of the receipt of the complaint, unless the complainant agrees in writing to an extension of time.

This report will contain the following elements:

- i. The findings of fact based on the evidence gathered
- ii. Conclusion of law
- iii. Disposition of the complaint
- iv. The rationale for such a disposition
- v. Corrective actions, if any are warranted
- vi. Notice of the complainant's right to appeal our decision to the CDE
- vii. Procedures to be followed for initiating an appeal to CDE

An appeal is a request made in writing to a level higher than the original reviewing level by an aggrieved party requesting reconsideration or a reinvestigation of the lower adjudicating body's decision.

A complainant may appeal our Decision of a UCP complaint regarding all specified federal and state educational programs subject to the UCP.

To appeal a UCP complaint Decision the complainant must file a written appeal within 15 days of receiving the Decision to CDE. This appeal to the CDE must fully explain the basis for the appeal, stating how the facts of our Decision are incorrect and/or the law is misapplied.

In addition the appeal shall be sent to CDE with: (1) a copy of the original locally filed complaint; and (2) a copy of our Decision of this original locally filed complaint.

Legal reference:

EDUCATION CODE

- 200-262.4 Prohibition of discrimination
- 8200-8498 Child care and development programs
- 8500-8538 Adult Basic education
- 18100-18203 School libraries
- 32289 School safety plan, uniform complaint procedure
- 35186 Williams uniform complaint procedure
- 37254 Intensive instruction and services for students who have not passed exit exam
- 41500-41513 Categorical education block grants
- 48985 Notices in language other than English
- 49010-49013 Student fees
- 49060-49079 Student records
- 49490-49590 Child nutrition programs
- 52060-52077 Local Control and Accountability Plans
- 52075 Complaint for lack of compliance with local control and accountability plan requirements
- 52160-52178 Bilingual education programs
- 52300-52499.6 Career-technical education
- 52500-52616.24 Adult schools
- 52800-52870 School-based coordinated programs
- 54000-54041 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

- 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 5

- 3080 Application of section
- 4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education program  
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

**Management Resources:**

Web Sites: CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

Regulation VICTOR VALLEY UNION HIGH SCHOOL DISTRICT  
approved: September 23, 1992 Victorville, CA  
revised: September 6, 2012  
revised: November 15, 2012  
revised: January 10, 2013  
revised: January 18, 2018