

**Victor Valley Union HSD  
Board Policy  
Uniform Complaint Procedures**

**BP 1312.3  
Community Relations**

**Uniform Complaint Procedures (UCP)**

The Governing Board of the Victor Valley Union High School District recognizes that the district is primarily responsible for complying with applicable state and federal laws and regulations governing educational programs. The district shall investigate complaints alleging failure to comply with such laws and/or alleging unlawful discrimination, harassment, intimidation and bullying against any protected group as identified under Education Code 200 and 220 and Government Code 11135, including actual or perceived sex, sexual orientation, race, ancestry, national origin, nationality, ethnic group identification, religion, age, gender, gender expression, gender identity, color, physical or mental disability, 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 that receives or benefits from state financial assistance

This document contains rules and instructions about the filing, investigation and resolution of a Uniform Complaint complaint regarding an alleged violation by Victor Valley Union High School District (LEA) of federal or state laws or regulations governing educational programs, including non-compliance with laws relating to pupil fees and our Local Control and Accountability Plan (LCAP).

This document presents information about how we process UCP complaints concerning particular programs or activities that are subject to the UCP.

A UCP complaint is a written and signed statement by a complainant alleging a violation of federal or state laws or regulations, which may include an allegation of unlawful discrimination, harassment, intimidation, bullying or charging pupil fees for participation in an educational activity or non-compliance with the requirements of our LCAP. A complainant is any individual, including a person's duly authorized representative or an interested third party, public agency, or organization who files a written complaint alleging violation of federal or state laws or regulations, including allegations of unlawful discrimination, harassment, intimidation, bullying and non-compliance with laws relating to pupil fees or non-compliance with the requirements of our LCAP. If the complainant is unable to put the complaint in writing, due to a disability or illiteracy, we shall assist the complainant in the filing of the complaint.

The responsibilities of the Victor Valley Union High School District:

We shall have the primary responsibility to ensure compliance with applicable state and federal laws and regulations.

We shall investigate and seek to resolve, in accordance with our UCP process, any complaints alleging failure to comply with applicable state and federal laws and regulations including, but not limited to, allegations of discrimination, harassment, intimidation, or bullying or noncompliance with laws relating to all programs and activities implemented by the Victor Valley Union High School District that are subject to the UCP.

The Victor Valley Union High School District developed the Uniform Complaint Procedures (UCP) process with policies and procedures adopted by our governing board. Programs and activities subject to the UCP are:

Adult Education	Education of Pupils in Foster Care, Pupils who are Homeless, and former Juvenile Court Pupils now enrolled in a School district
After School Education and Safety	English Learner Programs
Agricultural Vocational Education	Every Student Succeeds Act/No Child Left Behind (Titles I – VII)
American Indian Education Centers and Early Childhood Education Program	Local Control and Accountability Plans (LCAP)
Bilingual Education	Migrant Education
California Peer Assistance and Review Programs for Teachers	Physical Education Instructional Minutes (for grades seven through twelve)
Career Technical and Technical Education: Career Technical; Technical Training	Pupil Fees
Career Technical Education	Reasonable Accommodations to Lactating Pupils
Children Care and Development	Regional Occupational Centers and Programs
Child Nutrition	School Safety Plans
Compensatory Education	Special Education
Consolidated Categorical Aid	State Preschool
Course Periods without Educational Content (for grades nine through twelve)	Tobacco – Use Prevention Education
Economic Impact Aid	

The following complaints shall be referred to other agencies for appropriate resolution and are not subject to our UCP process set forth in this document, unless these procedures are made applicable by separate interagency agreements:

1. Allegations of child abuse shall be referred to County Department of Social Services (DSS), Protective Services Division or appropriate law enforcement agency.
2. Health and safety complaints regarding a Child Development Program shall be referred to Department of Social Services for licensed facilities, and to the appropriate Child Development regional administrator for licensing-exempt facilities.
3. Employment discrimination, harassment, intimidation or bullying complaints shall be sent to the State Department of Fair Employment and Housing (DFEH).
4. Allegations of fraud shall be referred to the Legal, Audits and Compliance Branch in the California Department of Education (CDE).

A pupil fee is a fee, deposit, or other charge imposed on pupils, or a pupil's parents or guardians, in violation of state codes and constitutional provisions which require educational activities to be provided free of charge to all pupils without regard to their family's ability or willingness to pay fees or request special waivers. Educational activities are those offered by a school, school district, charter school, or county office of education that constitute a fundamental part of education, including, but not limited to, curricular and extracurricular activities.

A pupil fee includes, but is not limited to, all of the following:

1. A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory, or is for credit.
2. A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, clothes, or other materials or equipment.
3. A purchase that a pupil is required to make to obtain materials, supplies, equipment, or clothes associated with an educational activity.

The LCAP is an important component of the Local Control Funding Formula (LCFF), the revised school finance system that overhauled how California funds its K-12 schools. Under the LCFF we are required to prepare an LCAP, which describes how we intend to meet annual goals for our pupils, with specific activities to address state and local priorities identified pursuant to California Education Code (EC) § 52060(d).

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	
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