



ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

Annual Notification Uniform Complaint Procedures (UCP) (Board Policy and Administrative Regulation 1312.3)

The Alum Rock Union Elementary School District has the primary responsibility for compliance with federal and state laws and regulations. The District has established Uniform Complaint Procedures (UCP) to address allegations of unlawful discrimination, harassment, intimidation, bullying, and complaints alleging violation of state and federal laws governing educational programs, and the charging of unlawful pupil fees.

The Alum Rock Union Elementary School District will investigate all allegations of unlawful discrimination, harassment, intimidation or bullying against any protected group identified in Education Code section 200 and 220 and Government Code section 11135, including any actual or perceived characteristics as set forth in Penal Code section 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 conducted by the LEA, which is funded directly by, or that receives or benefits from any state financial assistance.

The UCP shall also be used when addressing complaints alleging failure to comply with state and/or federal laws in After School Education and Safety, Child Care and Development Programs, Consolidated Categorical Programs, Foster and Homeless Youth, Migrant Education, Child Nutrition Programs, School Facilities and Special Education Programs.

A complaint of noncompliance with laws relating to pupil fees may be filed pursuant to the local UCP. A pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity.

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.

Complaints other than issues relating to pupil fees must be filed in writing with the following designated to receive complaints:

Norma Flores, Director Student Services
Alum Rock Union Elementary School District
2930 Gay Avenue San Jose, CA 95127
408.928.6935
norma.flores@arusd.org

Complaints of noncompliance with laws relating to pupil fees are filed with the principal of the school.

Complaints alleging discrimination, harassment, intimidation or bullying must be filed within six (6) months from the date the alleged discrimination, harassment, intimidation or bullying occurred, or the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation or bullying, unless the time for filing is extended by the superintendent or his or her designee.

Complaints will be investigated and a written decision or report will be sent to the complainant within sixty (60) days from the receipt of the complaint. This sixty (60) day time period may be extended by written agreement of the complainant. The LEA person responsible for investigating the complaint shall conduct and complete the investigation in accordance with sections 4680-4687 and in accordance with local procedures adopted under section 4621.

The complainant has the right to appeal the Alum Rock Union Elementary School District's Decision to the California Department of Education (CDE) by filing a written appeal within 15 days of receiving the Alum Rock Union Elementary School District's Decision. The appeal must be accompanied by a copy of the originally-filed complaint and a copy of the Alum Rock Union Elementary School District's Decision. The complainant is advised of civil law remedies including but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable.

A copy of our UCP complaint policies and procedures is available free of charge.