

Uniform Complaint Procedures

The Governing Board recognizes that the district is primarily responsible for complying with applicable state and federal laws and regulations governing educational programs.

The district shall follow uniform complaint procedures when addressing complaints alleging unlawful discrimination including actual or perceived sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability, or age, or on the basis of a person's association with any of the above in any program or activity that receives or benefits from state financial assistance. Uniform complaint procedures shall also be used when addressing complaints alleging failure to comply with state and/or federal laws in adult education, consolidated categorical aid programs, migrant education, career technical education, child care and development programs, child nutrition programs, and special education programs. The Board encourages the early, informal resolution of complaints at the site level whenever possible.

The Board acknowledges and respects every individual's right 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.

Compliance Officer

The Governing Board designates the following compliance officer(s) to receive and investigate complaints and to ensure district compliance

with law:

Superintendent, OJUSD
168 S. Third Avenue
Oakdale, CA 95361
(209) 848-4884

Notifications

The Superintendent or designee shall meet the notification requirements of 5 CCR 4622, including the annual dissemination of district complaint procedures and information about available appeals, civil law remedies and conditions under which a complaint may be taken directly to the California Department of Education. The Superintendent or designee shall ensure that complainants understand that they may pursue other remedies, including actions before civil courts or other public agencies.

Notifications will be published in the Parent/Student Handbook distributed at the beginning of the school year and when new students enroll. Employees will receive notification in his/her first day packet. District/Site advisory committees will receive notification at their first meeting of the school year.

A copy of the district's policy and complaint procedures may be obtained, free of charge, through the Superintendent's office.

Procedures

The following procedures shall be used to address all complaints which allege that the district has violated federal or state laws or regulations governing educational programs. Compliance officers shall maintain a record of each complaint and subsequent related actions, including all information required for compliance with 5 CCR 4632.

Step 1: Filing of Complaint

- Any individual, public agency or organization may file a written complaint of alleged noncompliance by the district.

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- Complaints alleging unlawful discrimination may be filed by a person who alleges that he/she personally suffered unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination. The complaint must be initiated no later than six months from the date when the alleged discrimination occurred or when the complainant first obtained knowledge of the facts of the alleged discrimination. (5 CCR 4630)
- The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.
- If a complainant is unable to put a complaint in writing due to conditions such as illiteracy or other disabilities, district staff shall help him/her to file the complaint. (5 CCR 4600)

Step 2: Investigation of Complaint

The compliance officer is encouraged to hold an investigative meeting within five days of receiving the complaint or an unsuccessful attempt to mediate the complaint. This meeting shall provide an opportunity for the complainant and/or his/her representative to repeat the complaint orally.

The complainant and/or his/her representative and the district's representatives shall also have an opportunity to present information relevant to the complaint. (5 CCR 4631)

A complainant's refusal to provide the district's investigator with documents or refusal to cooperate may result in a dismissal of the complaint.

The district's refusal to provide the district's investigator with documents or refusal to cooperate may result in the imposition of a remedy in favor of the complainant.