

Mt. Pleasant School District

Uniform Complaint Procedures

COMPLAINT PROCEDURES-

If an individual is filing a complaint there are different procedures depending on the area of concern, complaints do not have to be on a District form but must be submitted in writing and contain all necessary information, only a Williams Complaint may be filed anonymously.

Language assistance or assistance with writing the complaint will be provided if necessary. It is highly encouraged that concerns are expressed to the school principal before submitting a formal complaint in order to allow the school to respond to the concerns. MPESD will use the appropriate procedures to investigate the complaint based on the area of concern.

To file a formal complaint, download a form or contact the Superintendent's Office at 408 223-3710 to request a complaint form.

Described below are the different types of complaint procedures.

1. LOCAL DISTRICT COMPLAINT PROCEDURES

General complaints related to an employee, school procedures, student or other matter that does not fall under another complaint procedure. Complaints should be filed in writing with the School Principal or Superintendent's office.

2. UNIFORM COMPLAINT PROCEDURES

The Uniform Complaint Procedures (UCP) complaint is a written and signed statement by alleging a violation of federal or state laws or regulations, related to, and all programs and activities that are subject to the UCP.

- Programs and Activities Subject to the UCP:
- Accommodations for Pregnant and Parenting Pupils
- After School Education and Safety (MPAS)
- Unlawful discrimination, harassment, intimidation or bullying against any protected group.
- Education of students in Foster Care, students who are Homeless, former Juvenile Court students and Children of Military Families
- Every Student Succeeds Act
- Local Control and Accountability Plans (LCAP)
- Migrant Education
- Physical Education Instructional Minutes
- Charging pupil fees for participation in an educational activity
- Reasonable Accommodations to a Lactating Pupil
- School Plans For Student Achievement
- School Safety Plans
- School site Councils
- State Preschool Health And Safety Issues In LEAs Exempt From Licensing
- Post a standardized notice of the educational rights of pupils in foster care, pupils who are homeless, former juvenile court pupils now enrolled in a school district, and pupils in military families as specified in *Education Code Sections 48645.7, 48853, 48853.5, 49069.5, 51225.1, and 51225.2.*

3. WILLIAMS COMPLAINT POLICY & PROCEDURES

William's complaints are specific to safe and clean facilities, teacher vacancy or misassignments, and availability of adopted instructional materials.

- Sufficient adopted textbooks and instructional materials. That means that each pupil, including English learners, must have access to a textbook or instructional material, or both, to use in class and to take home.
- School Facilities must be clean, safe, and maintained in good repair.
- No teacher vacancies or mis-assignments. There should be a teacher assigned to each class and not a series of substitutes or other temporary teachers. The teachers should have the proper credential to teach the class, including the certification to teach English learners if present. If a school is found to have deficiencies in these areas, and the school does not take corrective action, then a complaint may be filed. Parents, students, teachers or any member of the public may submit a complaint regarding these issues. Individuals are highly encouraged to express their concerns to the school principal before completing the complaint forms to allow the school to respond to these concerns. [EC 35186]

4. SEXUAL HARRASSMENT COMPLAINT PROCEDURES

A student or parent/guardian who believes that the student has been subjected to sexual harassment by another student, an employee, or a third party or who has witnessed sexual harassment is strongly encouraged to report the incident to a teacher, the principal, the district's Title IX Coordinator, or any other available school employee. Within one school day of receiving such a report, the principal or other school employee shall forward the report to the district's Title IX Coordinator. Any school employee who observes an incident of sexual harassment involving a student shall, within one school day, report the observation to the principal or Title IX Coordinator, regardless of whether the alleged victim files a formal complaint. All complaints of sexual harassment by and against students shall be investigated and resolved in accordance with law and district procedures. The Title IX Coordinator shall review the allegations to determine the applicable procedure for responding to the complaint. All complaints that meet the definition of sexual harassment under Title IX shall be investigated and resolved in accordance with AR 5145.71 - Title IX Sexual Harassment Complaint Procedures. Other sexual harassment complaints shall be investigated and resolved pursuant to AR 1312.3 - Uniform Complaint Procedures. [cf. 5145.71]

5. SPECIAL EDUCATION COMPLAINT PROCEDURES

A state compliance complaint may be filed if there is a concern that violated federal, or state special education laws or regulations have been violated. The written complaint must specify at least one alleged violation of federal and state special education laws occurred not more than one year prior to the date the complaint is received. A copy of the complaint must be provided to the school district at the same time it is filed with the CDE. More information can be obtained on filing a www.cde.ca.gov/sp/se/qa/cmpltproc.asp. Complaints not alleging violation of federal, or state laws should use local procedures.