



Gorman Learning Charter Network

Board Policy

Community

BP 2001.3

Uniform Complaint Procedures (UCP) Policy

Effective Date: February 6, 2025

Approved by: Board of Directors

Policy:

Gorman Learning Charter Network policy is to comply with applicable federal and state laws and regulations. Gorman Learning Charter Network is the local agency primarily responsible for compliance with federal and state laws and regulations governing educational programs. Pursuant to this policy, persons responsible for compliance and/or conducting investigations shall be knowledgeable about the laws and programs which they are assigned to investigate.

Scope:

This complaint procedure is adopted to provide a uniform system of complaint processing (“UCP”) for the following types of complaints:

1. Complaints alleging unlawful discrimination, harassment, intimidation or bullying against any protected group on the basis of the actual or perceived characteristics of age, ancestry, color, mental disability, physical disability, ethnic group identification, immigration status/citizenship, gender expression, gender identity, gender, genetic information, nationality, national origin, race or ethnicity, religion, medical condition, marital status, sex, sexual orientation, or any combination of those characteristics, or on the basis of a person’s association with a person or group with one or more of these actual or perceived characteristics or any combination of those characteristics in any Gorman Learning Charter Network school or activity. Unlawful discrimination includes, but is not limited to, noncompliance with Education Code sections 243(a) or 244(a).
2. Complaints alleging a violation of state or federal law or regulation governing the following programs:
 - a. Accommodations for Pregnant, Parenting or Lactating Students;
 - b. Adult Education Programs;
 - c. Career Technical and Technical Education and Training Programs;
 - d. Child Care and Development Programs;
 - e. Migrant Child Education Programs;
 - f. Consolidated Categorical Aid Programs;
 - g. Every Student Succeeds Act;
 - h. Education or graduation of Students in Foster Care, Students who are Homeless, former Juvenile Court Students now enrolled in a public school, Migratory Children and Children of Military Families;
 - i. Regional Occupational Centers and Programs; and/or

- j. State Preschool Programs.
- 3. Complaints alleging that a pupil enrolled in a public school was required to pay a pupil fee for participation in an educational activity as those terms are defined below.
 - a. “Educational activity” means an activity offered by Gorman Learning Charter Network that constitutes an integral fundamental part of elementary and secondary education, including, but not limited to, curricular and extracurricular activities.
 - b. “Pupil fee” means a fee, deposit or other charge imposed on pupils, or a pupil’s parents or guardians, in violation of Section 49011 of the Education Code and Section 5 of Article IX of the California Constitution, which require educational activities to be provided free of charge to all pupils without regard to their families’ ability or willingness to pay fees or request special waivers, as provided for in *Hartzell v. Connell* (1984) 35 Cal.3d 899. A pupil fee includes, but is not limited to, all of the following:
 - i. 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.
 - ii. A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, uniform or other materials or equipment.
 - iii. A purchase that a pupil is required to make to obtain materials, supplies, equipment or uniforms associated with an educational activity.
 - c. Complaints regarding pupil fees, local control and accountability plans (“LCAP”), or noncompliance with Education Code sections 243 or 244 only may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with the respective applicable laws.
 - d. If Gorman Learning Charter Network finds merit in a pupil fees complaint, or the California Department of Education (“CDE”) finds merit in an appeal, Gorman Learning Charter Network shall provide a remedy to all affected pupils, parents, and guardians that, where applicable, includes reasonable efforts by Gorman Learning Charter Network to ensure full reimbursement to all affected pupils, parents, and guardians, subject to procedures established through regulations adopted by the state board.
 - e. Nothing in this policy shall be interpreted to prohibit solicitation of voluntary donations of funds or property, voluntary participation in fundraising activities, or Gorman Learning Charter Network and other entities from providing pupils prizes or other recognition for voluntarily participating in fundraising activities.
- 4. Complaints alleging noncompliance with the requirements governing the Local Control Funding Formula (“LCFF”) or LCAP under Sections 47606.5 and 47607.3 of the Education Code, as applicable. If Gorman Learning Charter Network adopts a School Plan for Student Achievement in addition to its LCAP, complaints of noncompliance with the requirements of the School Plan for Student Achievement under Education Code sections 64000, 64001, 65000, and 65001 shall also fall under this policy.

Complaints alleging noncompliance regarding child nutrition programs established pursuant to Education Code sections 49490-49590 no longer fall under the UCP. Instead, they are governed by Title 7, Code of Federal Regulations (“C.F.R.”) sections 210.19(a)(4), 215.1(a), 220.13(c), 225.11(b), 226.6(n), and 250.15(d) and Title 5, California Code of Regulations (“C.C.R.”) sections 15580 - 15584.

Complaints alleging noncompliance regarding special education programs established pursuant to Education Code sections 56000-56865 and 59000-59300 no longer fall under the UCP. Instead, they are

governed by the procedures set forth in 5 C.C.R. sections 3200-3205 and 34 C.F.R. sections 300.151-300.153.

Gorman Learning Charter Network acknowledges and respects every individual's right to privacy. Unlawful discrimination, harassment, intimidation or bullying complaints shall be investigated in a manner that protects (to the greatest extent reasonably possible and as permitted by law) the confidentiality of the parties, including but not limited to the identity of the complainant, and maintains the integrity of the process. Gorman Learning Charter Network cannot guarantee anonymity of the complainant. This includes keeping the identity of the complainant confidential. However, Gorman Learning Charter Network will attempt to do so as appropriate. Gorman Learning Charter Network may find it necessary to disclose information regarding the complaint/complainant to the extent required by law or necessary to carry out the investigation or proceedings, as determined by the Executive Director or designee on a case-by-case basis.

Gorman Learning Charter Network shall ensure that complainants are protected from retaliation and prohibits any form of retaliation against any complainant in the complaint process, including but not limited to a complainant's filing of a complaint or the reporting of instances of unlawful discrimination, harassment, intimidation or bullying. Such participation shall not in any way affect the status, grades or work assignments of the complainant.

Compliance Officers

The Board of Directors designates the following compliance officer(s) to receive and investigate complaints and to ensure Gorman Learning Charter Network's compliance with law:

1826 Orange Tree Lane
Redlands, CA 92374
(909) 307-6312
UCP@gormanlc.org

The Executive Director or designee shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. Designated employees may have access to legal counsel as determined by the Executive Director or designee.

Should a complaint be filed against the Executive Director, the compliance officer for that case shall be the President of the Gorman Learning Charter Network Board of Directors.

Notifications

The Executive Director or designee shall annually provide written notification of Gorman Learning Charter Network's UCP to employees, students, parents and/or guardians, advisory committees, private school officials or representatives, and other interested parties (e.g., Adult Education), as applicable.

The annual notice shall be in English, and when necessary, in the primary language, pursuant to section 48985 of the Education Code if fifteen (15) percent or more of the pupils enrolled in Gorman Learning Charter Network speak a single primary language other than English.

The Executive Director or designee shall make available copies of Gorman Learning Charter Network's uniform complaint procedures free of charge.

The annual notice shall include the following:

- a. A list of the types of complaints that fall under the scope of the UCP and the state and federal provisions that govern complaints regarding child nutrition programs and special education programs.
- b. A statement clearly identifying any California State preschool programs that Gorman Learning Charter Network is operating as exempt from licensing pursuant to Health and Safety Code section 1596.792(o) and corresponding Title 5 health and safety regulations, and any California State preschool programs that Gorman Learning Charter Network is operating pursuant to Title 22 licensing requirements.
- c. A statement that Gorman Learning Charter Network is primarily responsible for compliance with federal and state laws and regulations.
- d. A statement that a pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity.
- e. A statement identifying the title of the compliance officer, and the identity(ies) of the person(s) currently occupying that position, if known.
- f. A statement that if a UCP complaint is filed directly with the CDE and the CDE determines that it merits direct intervention, the CDE shall complete an investigation and provide a written decision to the complainant within sixty (60) calendar days of receipt of the complaint, unless the parties have agreed to extend the timeline or the CDE documents exceptional circumstances and informs the complainant.
- g. A statement that the complainant has a right to appeal Gorman Learning Charter Network's decision to the CDE by filing a written appeal within thirty (30) calendar days of the date of Gorman Learning Charter Network's Decision, except if Gorman Learning Charter Network has used its UCP to address a complaint that is not subject to the UCP requirements.
- h. A statement that a complainant who appeals Gorman Learning Charter Network's decision on a UCP complaint to the CDE shall receive a written appeal decision within sixty (60) calendar days of the CDE's receipt of the appeal, unless extended by written agreement with the complainant or the CDE documents exceptional circumstances and informs the complainant.
- i. A statement that if Gorman Learning Charter Network finds merit in a UCP complaint, or the CDE finds merit in an appeal, Gorman Learning Charter Network shall take corrective actions consistent with the requirements of existing law that will provide a remedy to the affected student and/or parent/guardian as applicable.
- j. A statement advising the complainant of any civil law remedies that may be available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable, and of the appeal pursuant to Education Code § 262.3.
- k. A statement that copies of Gorman Learning Charter Network's UCP shall be available free of charge.

Original Policy: 2/22/2018

Revised Policy: 6/01/2020

Revised Policy: 4/18/2024



GORMAN LEARNING CHARTER NETWORK

1826 Orange Tree Lane
Redlands, CA 92374
Telephone (909) 307-6312

UNIFORM COMPLAINT PROCEDURES (UCP) FORM

Last Name: _____ First Name/MI: _____

Student Name (if applicable): _____ Grade: _____ Date of Birth: _____

Street Address/Apt. #: _____

City: _____ State: _____ Zip Code: _____

Home Phone: _____ Cell Phone: _____ Work Phone: _____

Resource Center/Office of Alleged Violation: _____

For allegation(s) of noncompliance, please check the program or activity referred to in your complaint, if applicable:

- | | | |
|--|---|---|
| ☐ Adult Education Programs | ☐ Every Student Succeeds Act | ☐ School Plans for School Achievement |
| ☐ Career Technical and Technical Education and Training | ☐ Local Control Funding Formula/ Local Control and Accountability Plan | ☐ State Preschool Programs |
| ☐ Child Care and Development Programs | ☐ Migrant Child Education Programs | ☐ Pupil Fees |
| ☐ Consolidated Categorical Aid Programs | ☐ Regional Occupational Centers and Programs | ☐ Pregnant, Parenting, or Lactating Students |
| ☐ Education or graduation of Students in Foster Care, Students who are Homeless, former Juvenile Court Students now enrolled in a Public School, Migratory Children and Children of Military Families | | |

For allegation(s) of unlawful discrimination, harassment, intimidation or bullying, please check the basis of the unlawful discrimination, harassment, intimidation or bullying described in your complaint, if applicable:

- | | | |
|--|---|--|
| ☐ Age | ☐ Gender/Gender Expression/Gender Identity | ☐ Sex (Actual or Perceived) |
| ☐ Ancestry | ☐ Genetic Information | ☐ Sexual Orientation (Actual or Perceived) |
| ☐ Color | ☐ National Origin | ☐ Based on association with a person or group with one or more of these actual or perceived characteristics |
| ☐ Ethnic Group | ☐ Race or Ethnicity | |
| ☐ Disability | ☐ Religion | |
| ☐ Medical Condition | ☐ Marital Status | |

1. Please give facts about the complaint. Provide details such as the names of those involved, dates, whether witnesses were present, etc., that may be helpful to the complaint investigator.

2. Have you discussed your complaint or brought your complaint to any Gorman Learning Charter Network personnel? If you have, to whom did you take the complaint, and what was the result?

3. Please provide copies of any written documents that may be relevant or supportive of your complaint.
I have attached supporting documents. ☐ Yes ☐ No

Signature

Date

Mail complaint and any relevant documents to:

1826 Orange Tree Lane
Redlands, CA 92374
(909) 307-6312
UCP@gormanlc.org