Complaint Form (ONLY for Uniform Complaints)

ALAMEDA UNIFIED SCHOOL DISTRICT
Excellence & Equity For All Students

Complainant Information		
Name		Position/Title (check one): □ Parent/Guardian □ Student □ Faculty/Staff □ Administrator □ Other (specify):_____
Address		
Daytime Phone #		
Evening Phone #		
E-mail		

Specifics of Complaint	
Name of person(s) or program against whom complaint is made:	
School and/or Department	
Date(s) of alleged violation(s):	

Complaints subject to Uniform Complaint Procedures (UCP)

Uniform Complaints are governed by specific Education Code and Board Policy. If your complaint does not fall under one of the specified programs/activities listed below or involve discrimination, harassment, intimidation, and/or bullying based on actual or perceived characteristics listed below, please refer to the NON-UCP complaints list.

For allegations of noncompliance, please check the program oractivity referred to in your complaint, if applicable:

- □ Accommodations for Pregnant and Parenting Students (EC 46015)
- □ Adult Education (BP 6200)
- □ After School Programs (BP 5148.2)
- □ California State Preschool Programs (BP 5148.3)
- □ Career Technical Education (BP 6178)
- □ Child Care & Development (BP 5148)
- □ Compensatory Education (EC 54400)
- □ Consolidated Categorical Aid Programs (EC 33315)
- □ Education for Children of Military Families (AR 6173.2)
- □ Education for English Learners (BP 6174)
- □ Every Student Succeeds Act (ESSA) Programs
- □ Foster Youth Education (BP 6173.1)
- □ Homeless Youth Education (BP 6173)
- □ Immigrant / Newcomer Pupils (EC 54450)
- □ Juvenile Court School Students (BP 6173.3)
- □ Local Control Accountability Plan (LCAP) (BP 0460)
- □ Migrant Education Program (BP 6175)
- □ Physical Education Minutes (BP 6142.7)
- □ Pupil Fees for Educational Activities (BP 3260)
- □ Pupil Instruction: Course Periods without Educational Content or Previously Complete Courses (BP 6152)
- □ Tobacco-Use Prevention Education (TUPE) (BP 5131.62)

For allegations of discrimination, harassment, intimidation, bullying in district programs or activities and/or retaliation against a complainant or other participant in the complaint process, please check which of the actual or perceived protected characteristics upon which the alleged conduct was based:

- □ Ancestry
- □ Color
- □ Ethnic Group Identification
- □ Gender or Genetic Information
- □ Gender Expression or Gender Identity
- □ Medical Condition
- □ Mental or Physical Disability
- □ National Origin or Nationality
- □ Parental, Marital, and Family Status
- □ Race or Ethnicity
- □ Religion
- □ Sex
- □ Sex Stereotypes
- □ Sexual Orientation
- □ Association with a person or group with one or more of the actual or perceived categories listed above
- □ Retaliation against a complainant or other participant in the complaint process

Title IX Sexual Harassment Complaint Procedures: Complaints of sexual harassment will be addressed in accordance with AR 5145.71 - Title IX Sexual Harassment Complaint Procedures. Use the Title IX Sexual Harassment Complaint Form or go to the District's Title IX Sexual Harassment and Complaint Procedures website. The Title IX Coordinator will respond to all complaints under this category.

A complete list of **NON UCP Complaints** and how/where to file a complaint, can be found on page 4 of this document or by visiting the District's Uniform Complaint Procedures website.

Nature of Complaint

(Please attach additional pages, if necessary, to describe your complaint more fully)

1. Please give the facts about your 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 attempted to discuss your complaint with any Alameda Unified School District (AUSD) personnel? If so,with whom and what was the result?
3. What is your proposed resolution to the complaint?

4. Please provide copies of any written documents that may be relevant or supportive of your complaint.

   I have attached written documents: _____ Yes _____ No

Signature of Complainant:_____ Date:_____

The Assistant Superintendent of Education Services is the point of contact for receiving ALL formal complaints. Within 5 days of receipt of a complaint, the complainant will receive a Receipt Notice. Within 10 days of receiving a complaint, the complainant will be notified of the staff/department assigned to investigate the complaint. No part of this policy precludes a complainant from pursuing civil law remedies outside of the District's administrative procedures at the complainant's own expense.

ALL COMPLAINTS MUST BE SUBMITTED TO:

Cassie Ferguson
Coordinator of Student Support Services
2060 Challenger Drive
Alameda, CA 94501
Email: cferguson@alamedaunified.org
Phone: 510.337.7001

Non-Discrimination Policy

The Alameda Unified School District (AUSD) is committed to ensuring equal, fair, and meaningful access to employment and education services. AUSD does not discriminate in any employment practice, education program, or educational activity on the basis and/or association with a person or group withone or more of these actual or perceived characteristics of age, ancestry, color, disability, ethnicity, gender, gender identity or expression, genetic information, marital status, medical condition, national origin, political affiliation, pregnancy and related conditions, race, religion, retaliation, sex (including sexual harassment), sexual orientation, Vietnam Era Veterans' status, or any other basis prohibited by California state and federal nondiscrimination laws respectively.

Name of Person Accepting Complaint		Copy of complaint given to complainant: Yes No
Signature of Person Accepting Complaint		
Date and Time of Complaint Acceptance		

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Alameda Unified School District
2060 Challenger Drive
Alameda, CA 94501
Phone: 510.337.7001

Board Policy 1312.3 Uniform Complaint Procedures was last updated by the Governing Board on August 12, 2025

Uniform Complaint Procedures (UCP)

This document contains rules and instructions about the filing, investigation, and resolution of a Uniform Complaint Procedures (UCP) complaint regarding an alleged violation by the Alameda Unified School District of federal or state laws or regulations governing educational programs, including allegations of unlawful discrimination, harassment, intimidation, bullying and 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 in which we receive state or federal funding. 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.

Programs and activities that are implemented by our district and subject to the UCP in which we receive state or federal funding are:

- Accommodation for Pregnant and Parenting Students
- Adult Education
- After School Education and Safety
- California State Preschool Programs
- Career Technical Education (CTE)
- Child Care and Development
- Compensatory Education and Consolidated Categorical Aid Programs
- Course Periods Without Educational Content
- Credit for Coursework and Education of Pupils who are:
    - Foster Care
    - Homeless
    - Immigrant (newcomer)
    - Juvenile Court School (former)
    - Migrant
    - Military
- Education for English Learners
- Every Student Succeeds Act (ESSA) programs
- Instructional Materials and Curriculum (Diversity)
- Local Control Accountability Plans (LCAP)
- Physical Education Instructional Minutes
- Pre-School
- Pupil Fees
- Reasonable Accommodations to a Lactating Pupil
- School or Athletic Team Names, Mascots, or Nicknames
- School Plan for Student Achievement (SPSA) and School Site Council
- Tobacco-Use Prevention Education (TUPE)

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 families' 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 Education Code Section 52060(d).

The responsibilities of the Alameda Unified School District

We have the primary responsibility to ensure compliance with applicable state and federal laws and regulations. We shall investigate complaints alleging failure to comply with applicable state and federal laws and regulations including, including, but not limited to, allegations of discrimination, harassment, intimidation, bullying or noncompliance with laws relating to all programs and activities implemented by the district that are subject to the UCP.

We shall ensure annual dissemination of the written notice of our complaint procedures to students, employees, parents or guardians of its students, school and district advisory committee members, appropriate private school officials or representatives, and other interested parties that includes information regarding allegations about discrimination, harassment, intimidation, or bullying.

An appeal is a request made in writing to a level higher than the original reviewing level by an aggrieved party requesting reconsideration or a reinvestigation of the lower adjudicating body's decision.

Our UCP Annual Notice shall also include information regarding the requirements of Education Code sections 49010 through 49013 relating to pupil fees and information regarding the requirements of Education Code section 52075 relating to the LCAP.

Our UCP Annual Notice shall be in English and in the primary language, pursuant to section 48985 of the Education Code, or mode of communication of the recipient of the notice.

The following is responsible for receiving, investigating and/or referring complaints to the appropriate personnel, and ensuring our compliance:

Cassie Ferguson
Coordinator of Student Support Services
2060 Challenger Drive, Alameda, CA 94501
Email: cferguson@alamedaunified.org

The above, responsible for compliance and investigations, is knowledgeable about the laws and programs assigned to investigate.

We will investigate all allegations of unlawful discrimination, harassment, intimidation or bullying against any protected group as 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 or 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 agency, which is funded directly by, or that receives or benefits from any state financial assistance.

An unlawful discrimination, harassment, intimidation, and bullying complaint shall be filed no later than six months from the date the alleged discrimination, harassment, intimidation, or bullying occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying.

The time for filing a discrimination, harassment, intimidation, or bullying complaint may be extended in writing by our district superintendent or his or her designee, upon written request by the complainant setting forth the reasons for the extension. The period for filing a discrimination, harassment, intimidation, or bullying complaint may be extended by our superintendent or his or her designee for good cause for a period not to exceed 90 calendar days following the expiration of the six-month time period. Our superintendent shall respond immediately upon a receipt of a request for extension.

The complaint shall be filed by one who alleges that he or she has personally suffered unlawful discrimination, harassment, intimidation, and bullying or by one who believes an individual or any specific class of individuals has been subjected to discrimination, harassment, intimidation, and bullying prohibited by this part.

An investigation of a discrimination, harassment, intimidation, and bullying complaint shall be conducted in a manner that protects confidentiality of the parties and maintains the integrity of the process. We ensure that complainants are protected from retaliation.

Complainants are advised of the right to pursue civil law remedies under state or federal discrimination, harassment, intimidation, or bullying laws. Civil law remedies, including, injunctions, restraining orders, or other remedies or orders mayalso be available at any time.

If we find merit in a pupil fees, LCAP, and/or a Course Period without Educational Content complaint, we shall provide a remedy. Specifically, in Course Period without Educational Content complaints, the remedy shall go to the affected pupil.In LCAP and pupil fee complaints, the remedy shall go to all affected pupils, parents, and guardians, which in the case ofpupil fees, also includes reasonable efforts by us to ensure full reimbursement to all affected pupils, parents, and guardians subject to procedures established through regulations adopted by the state board.

UCP policies and procedures are submitted to our local governing board or authorized designee for approval and adoption whenever there are significant changes made to federal and state laws and applicable Education Codes.

Filing a complaint with the Alameda Unified School District

Except for Williams complaints regarding instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of pupils or staff, and teacher vacancies or misassignments, and complaints that allege discrimination, harassment, intimidation, and bullying, any individual, public agency or organization may file a written complaint with our district superintendent or his or her designee alleging a matter which, if true, would constitute a violation by our agency of federal or state law or regulation governing a program. A pupil fees complaint may be filed with the principal of a school or the agency superintendent or his or her designee.

A pupil fees complaint and/or an LCAP complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance.

A pupil fee complaint shall be filed no later than one year from the date the alleged violation occurred.

We will attempt in good faith by engaging in reasonable efforts to identify and fully reimburse all pupils, parents and guardians who paid a pupil fee within one year prior to the filing of the complaint.

The investigation shall provide an opportunity for the complainant, or the complainant's representative, or both, to present evidence or information.

Refusal by the complainant to provide the investigator with documents or other evidence related to the allegations in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegations.

Refusal by the Alameda Unified School District to provide the investigator with access to records and/or other information related to the allegation in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in a finding based on evidence collected that a violation has occurred and may result in the imposition of a remedy in favor of the complainant.

Except for Williams complaints and pupil fees complaints, a UCP complaint will be investigated and a written report (also known as the Decision) issued to the complainant within 60 days from the date of the receipt of the complaint, unless the complainant agrees in writing to an extension of time.

When an allegation that is not subject to the UCP is included in a UCP complaint, the district shall refer the non-UCP allegation to the appropriate staff or agency and shall investigate and, if appropriate, resolve the UCP-related allegation(s) through the district’s UCP.

We shall issue a Decision based on the evidence and will contain the following elements:

(i) the findings of fact based on the evidence gathered,

(ii) conclusion of law,

(iii) disposition of the complaint,

(iv) the rationale for such disposition,

(v) corrective actions, if any are warranted,

(vi) notice of the complainant's right to appeal our agency Decision to the CDE,

- We shall inform the complainant of his or her right to appeal the agency Decision to CDE and
- The complainant may appeal our Decision of a UCP complaint regarding all specified federal and state educational programs subject to the UCP.

(vii) procedures to be followed for initiating an appeal to the CDE.

- To appeal our UCP Complaint Decision the complainant must file a written appeal within 15 days of receiving the Decision to the California Department of Education (CDE). This appeal to the CDE must fully explain the basis for the appeal, stating how the facts of the agency's Decision are incorrect and/or the law is misapplied.
- The appeal shall be sent with (1) a copy of the locally filed complaint and (2) a copy of the Decision.

The district shall protect all complainants from retaliation. In investigating complaints, the confidentiality of the parties involved shall be protected as required by law. As appropriate for any complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the Superintendent or designee shall keep confidential the identity of the complainant and/or the subject of the complaint if he/she is different from the complainant, as long as the integrity of the complaint process is maintained.

Nothing in this document shall prohibit anyone involved in the complaint from utilizing alternative methods to resolve the allegations, such as mediation. Nor are we prohibited from resolving complaints prior to the formal filing of a written complaint. Mediation is a problem-solving activity whereby a third party assists the parties to the dispute in resolving the complaint.

Copies of these Uniform Complaint Procedures shall be available free of charge.

ALAMEDA UNIFIED SCHOOL DISTRICT
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Designated Complaint Officer:
Cassie Ferguson
Coordinator of Student Support Services
2060 Challenger Drive
Alameda, CA 94501

Uniform Complaint Procedures: Flowchart

STEP 1: Filing of Complaint

If a complaint is not resolved at the lowest (school site) level, the Complainant files a written complaint with the designated Complaint Officer: Complaints should be filed in writing and signed by the complainant. If a complainant is unable to put his/her complaint in writing, district staff shall assist in filing the complaint.

STEP 2: Receipt Notice, Investigation and Resolution

- All UCP-related complaints shall be investigated and resolved **within 60 calendar days** of the district's receipt of the complaint, unless the complainant agrees in writing to an extension of the timeline.

Within 10 business days after receipt of the complaint, an investigation into the complaint shall begin. The complainant shall be notified if the complaint investigation has been referred to a staff member other than the designated Complaint Officer.

Within 30 calendar days of receiving the complaint, the complainant shall be sent a written report summarizing the findings and disposition of the complaint, including any corrective actions, the rationale for such disposition, and notice of the complainant's right to appeal such decision to the AUSD Board of Education.

Within 5 business days of receiving the written report the complainant has the right to appeal the decision and may do so by submitting their appeal in writing to the Board of Education.

The Board of Education may consider the matter at its next regularly scheduled meeting or at a special meeting convened to meet the required timeline. If the Board decides not to hear the complaint, the investigator's decision shall be final. If the Board hears the complaint, the Board's decision is sent to the complainant **within 60 calendar days of the initial receipt of the complaint** unless the complainant agrees in writing to extend the sixty-day deadline.

Step 3: Appeal to California Department of Education (CDE)

Within 30 calendar days of receiving the governing board's decision, the complainant has a right to appeal the district's decision to the California Department of Education (CDE) by filing a written appeal.

The appeal to the CDE must include a copy of the complaint filed with the district and a copy of the district's decision. The complainant must specify reasons for appealing the District's decision and must include a copy of the locally filed complaint and the District's decision.

Revised: July 2026