Annual Notice of Uniform Complaint Procedures
2026-2027

The San Bernardino County Superintendent of Schools' (SBCSS) Annual Written Notice of the Uniform Complaint Procedures (UCP) is provided to students, employees, parents/guardians, school and district advisory committees, appropriate private school officials or representatives, and other interested parties. This notice shall be in English, and when necessary, in the primary language, pursuant to section 48985 of the Education Code or mode of communication of the recipient of the notice. The Annual Notice includes the following:

SBCSS has the primary responsibility to ensure compliance with state and federal laws and regulations, including those related to unlawful discrimination, harassment, intimidation or bullying against any protected group, and all programs and activities listed below that are subject to the UCP:

Discrimination, harassment, intimidation, or bullying against any protected group as identified under *Education Code (EC)* sections 200 and 220 and *Government Code Section* 11135, including any actual or perceived characteristic 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 an educational institution, as defined in *EC* Section 210.3, that is funded directly by, or that receives or benefits from, any state financial assistance.

- Accommodations for Pregnant and Parenting Pupils
  (California Education Code (EC) section 46015)
- Adult Education
  (EC sections 8500-8538, 52334.7, 52500-52616.4)
- After School Education and Safety
  (EC sections 8482-8484.65)
- Agriculture Career Technician Education
  (EC sections 52460-52462)
- Career Technical and Technical Education and Career Technical and Technical Training Programs (state)
  (EC sections 52300-52462)
- Career Technical Education (federal)
  (EC sections 51226-51226.1)
- Child Care and Development
  (EC sections 8200-8493)
- Compensatory Education
  (EC section 54400)
- Consolidated Categorical Aid Programs
  (EC sections 49010-49013)
- Course Periods without Educational Content
  (EC sections 51228.1-51228.3)
- Educational and graduation requirements for pupils in foster care, pupils who are homeless, pupils from military families, pupils formerly in Juvenile Court now enrolled in a school district, pupils who are migratory, and pupils participating in a newcomer program

(EC sections 48645.7, 48853, 48853.5, 49069.5, 51225.1, 51225.2)

- Every Student Succeeds Act (ESSA)
  (20 United States Code section 6301 et seq.)
- Instructional Materials and Curriculum: Diversity
  (EC sections 243, 244, 51501, 51204.5, 60040–60045, 60048, 60200)
- Local Control and Accountability Plans (LCAP)
  (EC section 52075, Government Code section 17581.6(f))
- Migrant Child Education
  (EC sections 54440-54445)
- Physical Education Instruction Minutes
  (EC sections 51210, 51223)
- Pupil Fees
  (EC sections 49010-49011)
- Reasonable Accommodations to a Lactating Pupil
  (EC section 222)
- Regional Occupational Centers and Programs
  (EC sections 52300-52334.7)
- School Plans for Student Achievement
  (EC section 64001)
- School Site Councils
  (EC section 65000)
- State Preschool
  (EC sections 8235-8239.1)
- State Preschool Health and Safety Issues in LEAs Exempt from Licensing
  (EC sections 235.5(a), 33315, Government Code section 17581.6(f), Health and Safety Code section 1596.7925)
- And any other state or federal educational program the State Superintendent of Public Instruction (SSPI) or designee deems appropriate

The *County Superintendent of Schools Office* shall investigate and seek to resolve, in accordance with SBCSS' UCP, any complaints alleging failure to comply with applicable state and federal laws and regulations including, but not limited to, allegations of discrimination, harassment, intimidation, or bullying, or noncompliance with laws relating to all programs and activities implemented by SBCSS that are subject to the UCP, including prohibited pupil fees.

Per California Education Code (EC) Section 49011, 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" is defined as a fee, deposit or charge imposed on pupils, or a pupil's parents or guardians, including but not limited to:

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 whetherthe 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, uniform, or other materials or equipment.
3) A purchase that a pupil is required to make to obtain materials, supplies, equipment, or uniforms associated with an educational activity.

The prohibition on payment of pupil fees includes the following:

1) All supplies, materials and equipment needed to participate in educational activities shall be provided to pupils free of charge.
2) A fee waiver policy shall not make a pupil fee permissible.
3) School districts and schools shall not establish a two-tier educational system by requiring a minimal educational standard and also offering a second, higher educational standard that pupils may only obtain through payment of a fee or purchase of additional supplies that the school district or school does not provide.
4) A school district or school shall not offer course credit or privileges related to educational activities in exchange for money or donations of goods or services from a pupil or a pupil's parents or guardians, and a school district or school shall not remove course credit or privileges related to educational activities, or otherwise discriminate against a pupil, because the pupil or the pupil's parents or guardians did not or will not provide money or donations of goods or services to the school district or school. (EC 49011)

SBCSS designates the following compliance officers to receive complaints:

1. Richard De Nava, Assistant Superintendent, Business Services
   (909) 386-2459
2. Myrlene Pierre, Assistant Superintendent, Student Services
   (909) 387-8511
3. Dr. Suzanne Hernandez, Assistant Superintendent, Human Resources
   (909) 386-9572
4. Tracy Chambers, Assistant Superintendent, Education Support Services
   (909) 386-2600

Complaints of noncompliance with laws relating to pupil fees are filed with a principal of a school. If the *County Superintendent of Schools Office* finds merit in a complaint regarding pupil fees, or the department finds merit in an appeal, a remedy will be provided to all affectedpupils, parents and guardians, that, where applicable, will include reasonable efforts by the *County Superintendent of Schools Office* to ensure full reimbursement to all affected pupils, parents and guardians, subject to procedures established through regulations adopted by the state board.

A pupil fees complaint shall be filed no later than one (1) year from the date the alleged violation occurred. A pupil fees or Local Control and Accountability Plan (LCAP) complaint may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint.

Complaints alleging unlawful discrimination, harassment, intimidation or bullying shall be filed no later than six (6) months from the date when the alleged discrimination, harassment, intimidation or bullying occurred, or six (6) months from the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation or bullying. Complaints will be investigated, and a written report issued to the complainant within sixty (60) calendar days from the date of the receipt of the complaint, unless the complainant agrees in writing to an extension of time (5 C.C.R., § 4631). *SBCSS* or its designee shall ensure that employees designated to receive and investigate complaints are knowledgeable about the laws and programsfor which they are assigned to investigate.

Except for complaints under sections 4681 and 4682 pertaining to instructional materials and teacher vacancies or mis-assignments, a complainant may appeal SBCSS' decision regarding the specific programs set forth above, including pupil fees, by filing a written appeal to the California Department of Education (CDE) within 15 days of receiving SBCSS' decision. The complainant shall specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law is misapplied. The appeal shall be accompanied by a copy of the locally filed complaint, and acopy of the decision. A complainant appealing the decision pertaining to pupil fees shall receive a written appeal decision within 60 days of the Department's receipt of the appeal.

A complainant may pursue civil law remedies outside of the County Superintendent's complaint procedures. Civil law remedies include, but are 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.

The SBCSS shall 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 48853, 48853.5, 49060.5, 51225.1 and 51225.2. The notice shall include complaint process information.

In order to identify appropriate subjects of state preschool health and safety issues pursuant to Section 1596.7925 of the Health and Safety Code ("HSC"), a notice shall be posted in each California state preschool program classroom in each school within SBCSS. The notice shall (1) state the health and safety requirements under Title 5 of the *California Code of Regulations* that apply to California state preschool programs pursuant to HSC section 1596.7925 and (2) state the location at which to obtain a form to file a state preschool health and safety issues complaint pursuant to HSC section 1596.7925.

A copy of SBCSS' UCP policy and complaint procedures shall be available free of charge (5C.C.R., § 4622).

Ted Alejandre, County Superintendent
San Bernardino County Superintendent of Schools
601 North E Street, San Bernardino, CA 92415

For more information please contact:
Dr. Suzanne Hernandez, Assistant Superintendent, Human Resources
760 East Brier Drive, San Bernardino, CA 92408
(909) 386-9572