Uniform Complaint Policy (UCP)

Board Reviewed and Approved: November 6, 2026

Uniform Complaint Policy and Procedures

e3 Civic High ("e3" or the "School") complies with applicable federal and state laws and regulations. e3 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") and not all complaints fall under the scope of the UCP. Complaints arising from the employment relationship are separately addressed by the School's employment policies. Many concerns, including classroom assignments, grades, graduation requirements, hiring and evaluation of staff, homework policies and practices, student discipline, the Brown Act, and other general education requirements are not UCP complaints. The School, however, may use these complaint procedures to address complaints not covered by the UCP at its sole discretion. Only allegations within the subject matters falling within the UCP can be appealed to the California Department of Education ("CDE") as explained in this Policy.

A UCP complaint is a written and signed statement alleging a violation of federal or state laws or regulations, which may include the following:

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 e3 program 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:

· Accommodations for Pregnant, Parenting or Lactating Students;

· Adult Education Programs;
· Career Technical and Technical Education and Training Programs;
· Child Care and Development Programs;
· Migrant Child Education Programs;
· Consolidated Categorical Aid Programs;
· Every Student Succeeds Act;
· 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;
· Regional Occupational Centers and Programs; and/or
· State Preschool Programs.

3. Complaints alleging that a student enrolled in a public school was required to pay a pupil fee for participation in an educational activity.

1. Complaints regarding pupil fees, local control and accountability plans ("LCAP"), or noncompliance with Education Code sections 243 or 244 only, may be filed anonymously (without an identifying signature), if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with the respective laws.

2. If e3 finds merit in a pupil fees complaint, or the California Department of Education ("CDE") finds merit in an appeal, e3 shall provide a remedy to all affected students, parents/guardians that, where applicable, includes reasonable efforts by e3 to ensure full reimbursement to all affected students and parents/guardians, subject to procedures established through regulations adopted by the state board.

3. Nothing in this Policy shall be interpreted to prohibit solicitation of voluntary donations of funds or property, voluntary participation in fundraising activities, or e3 and other entities from providing student 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 Education Code sections 47606.5 and 47607.3, as applicable. If e3 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.

The School 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) confidentiality of the parties, including but not limited to the identity of the complainant, and maintains the integrity of the process. The School cannot guarantee anonymity of the complainant. This includes keeping the identity of the complainant confidential. However, e3 will attempt to do so as appropriate. The School 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 CEO or designee on a case-by-case basis. The School shall ensure that complainants are protected from retaliation.

Compliance Officer

The following compliance officer is designated to receive and investigate complaints and to ensure e3's compliance with law:

Cesia Portillo
CEO
395 11th Avenue, 6th Floor
San Diego, CA 92101
(619) 546-0000

The compliance officer designated to investigate complaints shall be knowledgeable about the laws and programs for which they are responsible.

Should a complaint be filed against the CEO, the compliance officer for that case shall be the Chair of the e3 Board of Directors.

Notifications

The School shall annually provide written notification of e3's UCP to employees, students, parents/guardians, advisory committees, private school officials or representatives, and other interested parties as applicable.

The annual notice shall be in English. If fifteen (15) percent or more of the students enrolled in e3 speak a single primary language other than English, this annual notice will also be provided to the parent/guardian of any such students in their primary language.

Procedures

The following procedures shall be used to address all complaints which allege that e3 has violated federal or state laws or regulations enumerated in the section "Scope," above. The compliance officer shall maintain a record of each complaint and subsequent related actions for at least three (3) calendar years.

All parties named shall be notified when a complaint is filed, when a complaint meeting or hearing is scheduled, and when a decision or ruling is made.

· Step 1: Filing of a Complaint

Any individual, including a person's authorized representative or an interested third party, public agency, or organization may file a written complaint of alleged noncompliance or unlawful discrimination, harassment, intimidation or bullying pursuant to this Policy.

A complaint of unlawful discrimination, harassment, intimidation or bullying may be filed by an individual who alleges that that individual has personally suffered unlawful discrimination, harassment, intimidation or bullying or by one who believes any specific class of individuals has been subjected to unlawful discrimination, harassment, intimidation or bullying, or by a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying. An investigation of alleged unlawful discrimination, harassment, intimidation or bullying shall be initiated by filing a complaint no later than six (6) months from the date the alleged discrimination, harassment, intimidation or bullying occurred, or the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation or bullying unless the time for filing is extended by the CEO or designee, upon written request by the complainant setting forth the reasons for the extension. Such extension by the CEO or designee shall be made in writing. The period for filing may be extended by the CEO or designee for good cause for a period not to exceed ninety (90) calendar days following the expiration of the six-month time period. The CEO shall respond immediately upon receipt of a request for extension.

All other complaints under this Policy shall be filed not later than one (1) year from the date the alleged violation occurred. For complaints relating to the LCAP, the date of the alleged violation is the date on which the e3 Board of Directors approved the LCAP or the annual update was adopted by e3.

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and date stamp, and subsequent related actions to the extent required by oversight agencies.

Complaints filed pursuant to this Policy must be in writing and signed. Only complaints regarding pupil fees, LCAP, or non-compliance with Education Code sections 243 or 244 may be filed anonymously as set forth in this Policy. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, e3 staff shall assist the complainant in the filing of the complaint.

Upon receipt of a complaint, the compliance officer will evaluate the complaint to determine whether it is subject to this UCP and will notify the complainant within five (5) business days if the complaint is outside the scope of this UCP.

· Step 2: Mediation (Optional)

Within three (3) business days of receiving the complaint, the compliance officer may informally discuss with the complainant the possibility of mediation. If the complainant agrees to mediation, the compliance officer shall make arrangements for this process. Before initiating the mediation of an unlawful discrimination, harassment, intimidation or bullying complaint, the compliance officer shall ensure that all parties agree to allow the mediator access to related confidential information.

The mediator will arrange for both the complainant and Charter School to present relevant evidence. The compliance officer (or designee) will inform the complainant that the mediation process may be terminated at any time by either the School or complainant, in which case the complaint will proceed directly to an investigation. If the mediation process does not resolve the complaint to the satisfaction of the complainant, the compliance officer shall proceed with the investigation of the complaint.

The use of mediation shall not extend e3's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time.

· Step 3: Investigation of Complaint

The compliance officer is encouraged to hold an investigative meeting with the complainant or the complainant's representative within five (5) business days of receiving the complaint or an unsuccessful attempt to mediate the complaint. The complainant and/or the complainant's representative shall have an opportunity to present evidence or information leading to evidence to support the allegations in the complaint.

To investigate the complaint, the compliance officer shall have access to applicable School records and/or information related to the complaint. As part of the investigation, the compliance officer will do any of the following, in any order:

· Provide an opportunity to the complainant or the complainant's representative and the School's representative to present evidence or information relevant to the complaint or investigative process.
· Obtain statements from individuals/witnesses who may provide relevant information concerning the alleged violation.
· When necessary, seek clarification on specific complaint issues.

A complainant's refusal to provide the compliance officer with documents or other evidence related to the allegations in the complaint, or a complainant's failure or refusal to cooperate in the investigation or the complainant's engagement in any other obstruction of the investigation, may result in the dismissal of the complaint due to a lack of evidence to support the allegation.

The School's refusal to provide the compliance officer with access to records and/or other information related to the allegation in the complaint, or its failure or refusal to cooperate in the investigation or its engagement 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.

· Step 4: Final Written Decision

The School shall issue an investigation report (the "Decision") based on the evidence. The School's Decision shall be in writing and sent to the complainant within sixty (60) calendar days of e3's receipt of the complaint unless the timeframe is extended with the written agreement of the complainant. The School's Decision shall be written in English and in the language of the complainant whenever feasible or as required by law.

The Decision shall include:

1. The findings of fact based on evidence gathered.

2. The conclusion providing a clear determination for each allegation as to whether e3 is in compliance with the relevant law.

3. Corrective actions, if e3 finds merit in the complaint and any are warranted or required by law.

4. Notice of the complainant's right to appeal e3's Decision within thirty (30) calendar days to the CDE, except when e3 has used its UCP to address complaints that are not subject to the UCP requirements.

5. Procedures to be followed for initiating such an appeal.

If an employee is disciplined as a result of the complaint, the Decision shall simply state that effective action was taken and the employee was informed of e3's expectations. The Decision shall not give any further information as to the nature of the disciplinary action except as required by applicable law.

Appeals to the CDE

If dissatisfied with the Decision, the complainant may appeal in writing to the CDE within thirty (30) calendar days of receiving the Decision. The appeal shall be accompanied by a copy of the complaint filed with e3 and a copy of the Decision. When appealing to the CDE, the complainant must specify and explain the basis for the appeal, including at least one of the following:

1. The School failed to follow its complaint procedures.

2. Relative to the allegations of the complaint, e3's Decision lacks material findings of fact necessary to reach a conclusion of law.

3. The material findings of fact in e3's Decision are not supported by substantial evidence.

4. The legal conclusion in e3's Decision is inconsistent with the law.

5. In a case in which e3's Decision found noncompliance; the corrective actions fail to provide a proper remedy.

Upon notification by the CDE that the complainant has appealed the Decision, the CEO or designee shall forward the following documents to the CDE within ten (10) calendar days of the date of notification:

1. A copy of the original complaint.

2. A copy of the Decision.

3. A copy of the investigation file, including but not limited to all notes, interviews, and documents submitted by the parties or gathered by the investigator.

4. A report of any action taken to resolve the complaint.

5. A copy of e3's complaint procedures.

6. Other relevant information requested by the CDE.

If the CDE determines the appeal raises issues not contained in the local complaint, the CDE will refer those new issues back to e3 for resolution as a new complaint. If the CDE notifies e3 that its Decision failed to address an allegation raised by the complaint and subject to the UCP process, e3 will investigate and address such allegation(s) in accordance with the UCP requirements and provide the CDE and the appellant with an amended Decision addressing such allegation(s) within twenty (20) calendar days of the CDE's notification. The amended Decision will inform the appellant of the right to separately appeal the amended Decision with respect to the complaint allegation(s) not addressed in the original Decision.

Within thirty (30) calendar days of the date of the CDE's appeal Decision pursuant to 5 C.C.R. section 4633(f)(2) or (3), either party may request reconsideration by the State Superintendent of Public Instruction ("SSPI") or the SSPI's designee. The request for reconsideration shall specify and explain the reason(s) for contesting the findings of fact, conclusions of law, or corrective actions in the CDE's appeal Decision. The SSPI will not consider any information not previously submitted to the CDE by a party during the appeal unless such information was unknown to the party at the time of the appeal and, with due diligence, could not have become known to the party. Pending the SSPI's response to a request for reconsideration, the CDE appeal Decision remains in effect and enforceable, unless stayed by a court.

The CDE may directly intervene in the complaint without waiting for action by e3 when one of the conditions listed in 5 C.C.R. section 4650 exists, including but not limited to cases in which through no fault of the complainant, e3 has not taken action within sixty (60) calendar days of the date the complaint was filed with e3.
Complaints alleging noncompliance with Education Code section 243 or 244 may be filed with the SSPI directly, and the SSPI may directly intervene without waiting for an investigation by Charter School. The complainant shall present the SSPI with evidence that supports the basis for the direct filing and why immediate action is necessary.

Civil Law Remedies

A complainant may pursue available civil law remedies outside of e3's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders. For unlawful discrimination complaints arising under state law, however, a complainant must wait until sixty (60) calendar days

have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies. The waiting period does not apply to injunctive relief and is applicable only if e3 has appropriately, and in a timely manner, apprised the complainant of their right to file a complaint.

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UNIFORM COMPLAINT PROCEDURE 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:** _____

School/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

☐ Career Technical and Technical Education and Training

☐ Child Care and Development Programs

☐ Consolidated Categorical Aid Programs

☐ 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

☐ Every Student Succeeds Act

☐ Local Control Funding Formula/ Local Control and Accountability Plan

☐ Migrant Child Education Programs

☐ Regional Occupational Centers and Programs

☐ State Preschool Programs

☐ Pupil Fees

☐ Pregnant, Parenting, or Lactating Students

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

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.

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1. Have you discussed your complaint or brought your complaint to any e3 personnel? If you have, to whom did you take the complaint, and what was the result?

_____

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_____

2. 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 the Compliance Officer:

Cesia Portillo
CEO
395 11th Avenue, 6th Floor
San Diego, CA 92101
(619) 546-0000