

## **GOAL**

The Board of Education recognizes that the district has a primary responsibility for insuring that it complies with state and federal laws and regulations governing educational programs. The district has adopted policies and procedures for the investigation and resolution of complaints alleging failure to comply with applicable state and federal laws. Parents/Guardians, employees, students, and district advisory committees, are notified annually of the Uniform Complaint Procedures free of charge.

## **RESPONSIBILITY FOR UNIFORM COMPLAINT PROCEDURES**

The district Assistant Superintendent of Academic Accountability & Curriculum Improvement, or designee will monitor compliance with provisions outlined in the district's uniform complaint procedures process. Complaints or allegations regarding noncompliance with applicable state and federal laws should be submitted in writing to the Assistant Superintendent, Academic Accountability & Curriculum Improvement, or designee. Assurances shall be taken that the designee investigating the complaint is knowledgeable about the laws/programs assigned to investigate.

## **SCOPE OF COMPLAINT PROCEDURES**

This procedure applies to the following programs administered by the State Department of Education:

- Consolidated Categorical Aid Programs
- Career Technical Education
- Child Care and Development Programs
- Child Nutrition Programs
- Special Education – Individualized Education Program
- Title I Programs
- Education for English Language Learners
- Child Abuse Reporting Procedures
- Free and Reduced Price Meals
- Instructional Materials
- District Employees
- Urgent Facility Conditions
- California High School Exit Exam Intensive Instruction

This procedure also applies to complaints which allege unlawful discrimination on the basis of ethnic group identification, religion, age, actual or perceived sex, color, sexual orientation, gender, race, ancestry, national origin, or mental or physical disability in any program or activity conducted by the district receiving state financial assistance. Procedures apply to complaints which allege students have

been dismissed from a curricular, co-curricular or extra-curricular program attached to a school, dismissed from instruction, and/or receives a lower grade due to a financial hardship. Pupils shall not be required to pay a pupil fee for participation in an educational activity. Complaint procedures are available free of charge.

## **WHO MAY FILE A COMPLAINT**

A complaint may be filed by an individual, including a person's duly authorized representative or any interested third party, public agency, or organization. Individuals who may file complaints include district students, employees, parents, or guardians. The district provides assurances regarding protection against retaliation and provisions of confidentiality.

## **FILING A COMPLAINT AND TIME LINES**

A written complaint alleging unlawful discrimination shall be filed by one who alleges that he or she has personally suffered unlawful discrimination, or by one who believes an individual or any specific class of individuals has been subjected to prohibited discrimination and evidence relevant to the complaint can be presented during the process. A complaint alleging unlawful discrimination shall be filed with the Assistant Superintendent, Academic Accountability & Curriculum Improvement, or designee, 16703 S. Clark Avenue, Bellflower, CA. 90706, no later than six months from the date the alleged discrimination occurred or the date the complainant first obtained knowledge of the facts of the alleged discrimination. A complainant may file a written request for an extension of time for filing a complaint of unlawful discrimination with the State Superintendent of Public Instruction. The district has 60 days from the date the complaint is received to investigate and render a decision.

## **APPEALS**

Any complainant(s) may appeal the district's decision to the State Superintendent of Public Instruction by filing a written appeal with the superintendent within 15 days of receiving the district's decision. The appeal shall include:

- A copy of the complaint; and
- A copy of the district decision.

## **CIVIL LAW REMEDIES**

Please be advised that you are not required to exhaust the district Uniform Complaint Procedure prior to pursuing civil law remedies that may be available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable. Civil law remedies include legal and equitable

actions filed in California and federal courts. Statutory authority for such actions includes, but not limited to, the following:

1. California Education Code Sections 200, et.seq. prohibition of sex discrimination.
2. California Education Code Section 262.3 appeals; civil law remedies
3. California Government Code Section 11135 prohibition of discrimination in programs funded by the state.
4. Title VI, Civil Rights Act of 1964 (42 U.S.C. Section 2000d) prohibition of race, color, or national origin discrimination.
5. Title IX, Education Amendments of 1972 (20 U.S.C. Sections 1681 et.seq.) prohibition of sex discrimination.
6. Sections 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794) prohibition of discrimination of disabled persons.
7. Americans with Disabilities Act (42 U.S.C. Sections 12101 et.seq.) prohibition of discrimination against disabled persons.

## **DIRECT STATE INTERVENTION**

A complaint may be filed directly with the California Department of Education, without first exhausting the district Uniform Complaint Procedure, if one or more of certain conditions exists (Title 5 California Code of Regulations Section 4650). For more information regarding the right to direct state intervention, please contact the assistant superintendent of Academic Accountability & Curriculum Improvement

## **FEDERAL REVIEW RIGHTS**

If the California Superintendent of Public Instruction elects to withhold funds from the district in a program governed by federal regulations relating to state-administered federal grant programs, the district has a right to appeal pursuant to 34 Code of Federal Regulations Section 76.401.

## **QUESTIONS**

For more information regarding Uniform Complaint Procedures or assistance with the process, please call (562) 866-9011 ext. 2010 or contact:

Bellflower Unified School District  
Academic Accountability & Curriculum Improvement  
16703 S. Clark Avenue  
Bellflower, CA. 90706  
7/14 Revised

**BELLFLOWER UNIFIED SCHOOL DISTRICT  
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Business & Personnel Services**

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Assistant Superintendent  
Academic Accountability &  
Curriculum Improvement**

**Joseph Perry  
Assistant Superintendent  
Educational Services**

**To obtain further information regarding  
Uniform Complaint Procedures, please  
contact:**

**BELLFLOWER UNIFIED SCHOOL  
DISTRICT  
Academic Accountability &  
Curriculum Improvement  
16703 S. Clark Ave.  
Bellflower, CA. 90706  
(562)866-9011 Ext. 2010**

**Bellflower Unified School  
District**

**UNIFORM COMPLAINT PROCEDURES**



*Standard of Excellence  
Nothing Less*

**Regarding compliance with the following programs  
administered by the California Department of Education:**

- Consolidated Categorical Aid Programs
- Career Technical Education
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