



Orange Unified School District

ANNUAL NOTIFICATION OF THE UNIFORM COMPLAINT PROCEDURES (UCP)

The Orange Unified School District has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The District encourages the early, informal resolution of complaints whenever possible and appropriate. To resolve complaints which cannot be resolved through such informal process, the Board adopts the uniform system of complaint process specified in 5 CCR 4600-4670.

The District shall use the uniform complaint procedures to resolve any complaints alleging the occurrence of unlawful discrimination, (such as discriminatory harassment, intimidation, or bullying) against any person in district programs and activities, including, but not limited to, those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on actual race, or perceived characteristics of race or ethnicity, color, ancestry, nationality and national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information or any other characteristic identified in Education Code 200 or 220, including any actual or perceived characteristics as set forth in penal code section 422.55 the perception of one or more such characteristics; or association with a person or group with one or more of these actual or perceived characteristics in any program or activity conducted by the District, which is funded directly by or that receives or benefits from any state financial assistance. (GC§11135, EC§§200, 220, 234.1, 5CCR §4610, PC §422.55).

The District's uniform complaint procedures (UCP) shall be used to investigate and resolve the following complaints:

1. Any complaint alleging district violation of applicable state or federal law or regulations governing adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, and special education programs (5 CCR 4610)
 - Consolidated Categorical Aid Programs
 - Child Care and Development
 - Nutrition Program Compliance
 - Child Abuse Prevention and Reporting
 - Free and Reduced Price Meals
 - Individualized Education Program
 - Special Education Programs
 - Title I Programs
 - Education for English Language Learners
 - Migrant Education Program
 - Career Technical Education
 - Work-Based Learning
 - Regional Occupational Center/Program
 - Adult Education

2. Any complaint alleging district noncompliance with the requirement to provide reasonable accommodation to a lactating student on school campus to express breast milk, breastfeed an infant child, or address other breastfeeding-related needs of the student (Education Code 222)
3. Pursuant to Education Code section 52075, individuals may file a complaint under the District's Uniform Complaint Procedure alleging that the school district has not complied with the LCAP (Local Control Accountability Plan) requirements in the Education Code
4. Any complaint, by or on behalf of any student who is a foster youth, alleging district noncompliance with any legal requirement applicable to the student regarding placement decisions, the responsibilities of the district's educational liaison to the student, the award of credit for coursework satisfactorily completed in another school or district, school transfer, or the grant of an exemption from Board-imposed graduation requirements (Education Code 48853, 48853.5, 49069.5, 51225.1, 51225.2)
5. Any complaint, by or on behalf of a homeless student as defined in 42 USC 11434a, alleging district noncompliance with any requirement applicable to the student regarding the award of credit for coursework satisfactorily completed in another school or district or the grant of an exemption from Board-imposed graduation requirements (Education Code 51225.1, 51225.2)
6. Any complaint alleging district noncompliance with the requirements of Education Code 51228.1 and 51228.2 that prohibit the assignment of a student to a course without educational content for more than one week in any semester or to a course the student has previously satisfactorily completed, without meeting specified conditions (Education Code 51228.3)
7. Any complaint alleging district noncompliance with the physical education instructional minutes' requirement for students in elementary school (Education Code 51210, 51223)
8. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy
9. A complaint of noncompliance with laws relating to pupil fees may be filed pursuant to the local UCP. 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 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

A pupil fee complaint shall not be filed later than one year from the date the alleged violation occurred. Complaints other than complaints relating to pupil fees* must be filed in writing with the following compliance officer:

Deputy Superintendent Gunn Marie Hansen, Ph.D.
 Educational Services, Building D
 1401 N. Handy St. Orange, CA 92867

*Complaints of noncompliance with laws relating to pupil fees are filed with a principal of a school.

A complaint regarding pupil fees may be filed anonymously if the complaint provides evidence or information to support an allegation of noncompliance with laws relating to pupil fees.

Complaints alleging discrimination, harassment, intimidation, or bullying, must be filed within six (6) months from the date the alleged discrimination, harassment, intimidation, or bullying occurred or the date 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 superintendent or his or her designee.

Complaints will be investigated and a written decision or report will be sent to the complainant within sixty (60) days from the receipt of the complaint by the District. This sixty (60) day time period may be extended by written agreement of the complainant. The District person responsible for investigating the complaint shall conduct and complete the investigation in accordance with Education Code sections 4680-4687 and in accordance with local procedures adopted under Education Code section 4621.

The complainant has a right to appeal the District's decision to the California Department of Education (CDE) by filing a written appeal within 15 days of receiving the District's decision. The appeal must include a copy of the complaint filed with the District and a copy of the District's decision.

Civil law remedies may be available under state or federal discrimination, harassment, intimidation, or bullying laws, if applicable. In appropriate cases, an appeal may be filed pursuant to Education Code section 262.3. A complainant may pursue available civil law remedies outside of the District'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.

A copy of the Orange Unified School District's UCP policy and complaint procedures is available free of charge. For further information, please refer to OUSD Board Policy 1312.3 and Administrative Regulation 1312.3.