

GOAL

The Board of Education recognizes that the district has a primary responsibility for ensuring 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 Assistant Superintendent, Special Education & Student Support, 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, Special Education & Student Support, 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:

- After School Education and Safety
- Career Technical Education
- Consolidated Categorical Programs
- Child Care and Development Programs/State Preschool
- Child Nutrition Programs/Free and Reduced Price Meals
- District Employees
- Education for English Language Learners
- Every Student Succeeds Act [ESSA]
- Foster and Homeless Students
- Instructional Materials*
- Local Control and Accountability Plan
- Physical Education: Instructional Minutes
- Pupil Instruction: Course Periods Without Educational Content or Previously Completed Courses
- Special Education – Individualized Education Program
- Student Records
- Teacher Vacancy or Misassignment*
- Unlawful Pupil Fees
- Urgent Facility Conditions*

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, ethnicity, nationality, or mental or physical disability, and student lactation accommodations, 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 receive a lower grade due to a financial hardship. Students shall not be required to pay a

student fee for participation in an educational activity. Complaint procedures are available free of charge, and any other district-implemented program which is listed in Education Code 640009a) (5 CCR 4610).

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. A student fees and LCAP complaint may be filed anonymously if they provide evidence or information leading to evidence to support an allegation of non-compliance.

FILING A COMPLAINT AND TIMELINES

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, Special Education & Student Support, 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 student fee complaint shall be filed no later than one year from the date the alleged violation occurred. A student fee complaint may be filed with the principal of the school. 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.

APEALS

Any complainant(s) may appeal the district's decision of complaints regarding specific programs, student and the LCAP 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 State Superintendent of Public Instruction will render an appeal decision within 60 days. 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 Procedures 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 Procedures, 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, Special Education & Student Support.

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. 2030 or contact:

*Complaints

Bellflower Unified School District
Special Education & Student Support
16703 S. Clark Avenue
Bellflower, CA 90706

*Forms for Williams Complaint items are available at each school site, and the BUSD office, and online at www.BUSD.k12.ca.us

BELLFLOWER UNIFIED SCHOOL DISTRICT

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Assistant Superintendent
Instructional Personnel

Stacey Larson-Everson
Assistant Superintendent
Educational Services

Tracy McSparren
Assistant Superintendent
Special Education & Student Support

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

**BELLFLOWER UNIFIED SCHOOL
DISTRICT**
Special Education and Student Support
16703 S. Clark Ave.
Bellflower, CA 90706
(562) 866-9011 Ext. 2030

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:**

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