



OXNARD SCHOOL DISTRICT

1051 South "A" Street • Oxnard, California 93030 • 805/385-1501 • www.oxnardsd.org

TO: School and District Advisory Committee Members

FROM: Dr. Jesus Vaca
Assistant Superintendent, Human Resources and Support Services

DATE: June 2020

RE: **2019-20 Annual Notification of the Uniform Complaint Procedures**

California Education Code section 4622 states:

“Each local education agency shall annually notify in writing, as applicable, its students, employees, parents or guardians of its students, the district advisory committees, school advisory committees, appropriate private school officials or representatives, and other interested parties of their local education agency complaint procedures, including the opportunity to appeal to the CDE and the provisions of this chapter.”

Attached please find copies of the Oxnard School District’s *2019-20 Annual Notification of the Uniform Complaint Procedures*. You may keep this document for your records and refer to it if you have a need to file a complaint in the future.

JV/pp

Attachment



Oxnard School District 2019-2020

ANNUAL NOTIFICATION OF THE UNIFORM COMPLAINT PROCEDURES (UCP)

For students, employees, parents or guardians of its students, school and district advisory committees, appropriate private school officials or representatives, and other interested parties.

The **Oxnard School District** has the primary responsibility to ensure compliance with applicable state and federal laws and regulations and has established procedures to address allegations of unlawful discrimination, harassment, intimidation, and bullying, and complaints alleging violation of state or federal laws governing educational programs.

The **Oxnard School District** shall investigate and seek to resolve complaints using policies and procedures known as the Uniform Complaint Procedures (UCP) adopted by our local board.

The District's UCP shall be used to investigate and resolve the following complaints:

Any complaint alleging the occurrence of unlawful discrimination, including harassment, intimidation, or bullying, against any student, employee, or other person participating 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 the person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or based on his/her association with a person or group with one or more of these actual or perceived characteristics.

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.

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. (The District shall post a standardized notice of the educational rights of foster and homeless youth, as specified in Education Code Sections 48853, 48853.5, 49069.5, 51225.1, 51225.2. The notice shall include complaint process information, as applicable).

Any complaint, by or on behalf of a homeless student as defined in 42 USC 11434a or a former juvenile court school student 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).

Any complaint alleging district noncompliance with the physical education instructional minutes requirement for students in elementary school.

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.

Any complaint alleging district noncompliance with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities that constitute an integral fundamental part of the District's educational program, including curricular and extracurricular activities. (Any complaint of noncompliance regarding the requirements of pupil fees policies, may be filed with the principal of a school, and must be filed no later than one year after payment of the unlawful fees.)

Any complaint alleging noncompliance with the requirement that the Board adopt and annually update the LCAP in a manner that includes meaningful engagement of parents/guardians, students, and other stakeholders in the development and/or review of the LCAP

A complaint of noncompliance with the requirements of pupil fees or any requirement related to the LCAP may be filed anonymously if the complainant provides evidence or information leading to evidence to support an allegation of noncompliance with the requirements related to pupil fees.

In addition, the UCP shall also be used when addressing complaints alleging failure to comply with state and/or federal laws governing:

- Consolidated Categorical Aid Programs
- Migrant Education
- Child Care and Developmental Programs
- Child Nutrition Programs
- Special Education Programs
- Federal Safety Planning Requirements
- After School Education and Safety
- American Indian Education Centers
- Early Childhood Education Assessments
- State Preschool
- Bilingual Education
- English Learner Programs
- Compensatory Education
- Economic Impact Aid
- Education of Pupils in Foster Care and Pupils who are Homeless
- Every Student Succeeds Act/NCLB
- Federal Education Programs in Title I-VII
- Local Control Accountability Plans (including Charter Schools as described in EC §§ 47606.5 and 47607.3)
- California Peer Assistance and Review Programs for Teachers
- Agricultural Vocational Education
- Career Technical/Technical Education and Training programs
- Regional Occupational Centers and Programs
- Tobacco Use Prevention Education

Complaints must be filed in writing with the following compliance officer:

Name and/or Title of Compliance Officer: **Dr. Jesus Vaca, Assistant Superintendent, HR**
Address: **1051 South A Street, Oxnard CA 93030**
Telephone Number: **(805) 385-1501 Ext. 2050**

If a complainant is unable to put his/her complaint in writing, for example, due to conditions such as a disability or illiteracy, District staff shall assist him/her in the filing of the complaint.

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

If a public school finds merit in a complaint regarding noncompliance in pupil fees, or the California Department of Education finds merit in an appeal, the public school shall provide a remedy to all affected pupils, parents, and guardians that, where applicable, includes reasonable efforts by the public school to ensure full reimbursement to all affected pupils, parents, and guardians, subject to procedures established through regulations adopted by the State Board. A pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity.

If the allegation involves retaliation or unlawful discrimination and the investigation confirms that discrimination has occurred, the District will take steps to prevent recurrence of discrimination and correct its discriminatory effects on the complainant, and on others, if appropriate.

The complainant has a right to appeal the District's Decision to the District Superintendent within 15 days of the issuance of the Decision. The complainant shall specify the reason(s) for appealing the Decision to the Superintendent and include a copy of the Decision.

Additionally, a complainant may also appeal decisions and/or findings to the California Department of Education (CDE) – Office of Equal Opportunity by filing a written appeal within 15 days of receiving the LEA's Decision. The appeal shall specify the reason(s) for appealing the decision and include a copy of the Decision.

In any complaint alleging unlawful discrimination, the respondent also shall have the right to file an appeal with CDE in the same manner as the complainant, if he/she is dissatisfied with 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 LEA'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.

The U.S. Department of Education Office for Civil Rights (“OCR”) is a resource available to complainants to resolve discrimination complaints. The OCR can be contacted at:

San Francisco Office
Office for Civil Rights
U.S. Department of Education
50 Beale Street, Suite 7200
San Francisco CA 94105-1813
Telephone: 415-486-5555
FAX: 415-486-5570; TDD: 1-800-877-8339
Email: ocr.sanfrancisco@ed.gov

A copy of the Oxnard School District’s UCP policy and complaint procedures shall be available free of charge.