UNIFORM COMPLAINT PROCEDURES (UCP)

San Diego Unified School District

Lynn Ryan, Uniform Complaint Compliance Officer
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2019-2020
What is a Uniform Complaint?

- State procedure which sets forth a uniform system for the filing, investigation, and resolution of specific types of complaints. (Title 5, California Code of Regulations, §§ 4600–4687)

- UCP is outlined in San Diego Unified School District Board Policy (BP) and Administrative Regulation (AR) 1312.3

- Written statement alleging a violation of federal or state law:
  1. discrimination, harassment, intimidation, or bullying based on a protected group or category
  2. certain educational programs
  3. Williams Act Complaints— instructional materials, emergency facility issues, or teacher misassignments/vacancies (BP and AR 1312.4)
Discrimination, Harassment, Intimidation, or Bullying Based on a Protected Group
(60-day timeline for response)

- Age
- Ancestry
- Color
- Disability—mental or physical
- Ethnicity
- Ethnic Group Identification
- Gender
- Gender Expression
- Gender Identity
- Genetic information
- Immigration status
- Marital or Parental Status
- Nationality
- National Origin
- Sex—actual or perceived
- Sexual Orientation
- Race
- Religion
- On the basis of a person’s association with a person or group with one or more of these actual or perceived characteristics

Discrimination
Educational Programs and Services Covered by the UCP (60-day timeline for written response from the District)

- Adult Education (*California Education Code* [EC] sections §§ 8500-8538, 52334.7, 52500–52616.4)
- After School Education and Safety (*EC* §§ 8482–8484.65)
- Agricultural Career Technical Education (*EC* §§ 52460–52462)
- Career Technical Education–federal (*EC* section § 64000)
- Child Care and Development (*EC* §§ 8200–8493)
- Compensatory Education (*EC* § 54400)
- Course Periods without Educational Content (*EC* §§ 51228.1–51228.3)
- Education of Pupils in Foster Care, Pupils who are Homeless, former Juvenile Court Pupils now enrolled in a school district and Children of Military Families (*EC* §§ 48645.7, 48853, 48853.5, 49069.5, 51225.1, 51225.2)
Educational Programs and Services Covered by the UCP (Continued)

- Lactating Pupil–Reasonable Accommodations (EC § 222)
- Local Control and Accountability Plans (LCAP)(EC § 52075, Government Code [GC] § 17581.6(f))
- Migrant Education (EC §§ 54440–54445)
- Physical Education Instructional Minutes (EC §§ 51210, 51223)
- Pregnant and Parenting Pupils– Accommodations (EC § 46015)
- Pupil Fees (EC §§ 49010–49011)
- Regional Occupational Centers and Programs (EC §§ 52300–52334.7)
- School Plans For Student Achievement (EC § 64001)
- School Safety Plans (EC §§ 32280–32289)
- Schoolsite Councils (EC § 65000)
- State Preschool (EC §§ 8235–8239.1)
- State Preschool Health And Safety Issues In LEAs Exempt From Licensing (EC §§ 8235.5(a), 33315, GC § 17581.6 (f)), California Health and Safety Code [HSC] § 1596.792)
Not in UCP Scope

- Classroom assignments
- Common core
- Grades
- Personnel—hiring or evaluation
- Curriculum
- Student discipline
- Student records
- Homework policies & practices

Other District complaint procedures

Contact:
Quality Assurance Office
619–725–7211
Williams Act Uniform Complaints
(45-day timeline for resolution & response)

1. Insufficiency of instructional materials
2. Emergency or urgent facilities which pose a threat to student safety
3. Teacher vacancy or misassignment

Williams Complaint(s)
- Are to be resolved by the principal or designee at the site.
- Notices outlining complaint procedures must be posted in classrooms.
- May be filed anonymously, but must be in writing (form available).
- Complainant may choose “no response” on the form.
- If a response is requested, the District will provide one within required timeline.
Responsibilities

- **Complainant**: Files the complaint, provides fact-based allegations, cooperates in the investigation, provides evidence.

- **District**: Conducts fair and impartial investigation, allows presentation of evidence, provides written response within required timelines, includes facts, results and findings, protects against retaliation, informs of right to appeal.
Uniform Complaint Office

For assistance or support contact:

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