

**Santa Monica-Malibu Unified School District
Uniform Complaint Procedures
(BP 1312.3 and AR 1312.3)**

The Board of Education recognizes that the district is responsible for ensuring compliance with state and federal laws and regulations for all specified programs and provides civil rights guarantees. The programs included under the scope of Uniformed Complaint Procedures include No Child Left Behind Act of 2001 (Title I, Title II, Title III, Title IV, Title V, and Title VI), Adult Education, Career/Technical Education, Child Development, Consolidated Categorical Aid, Indian Education, Migrant Education, Nutrition Services and Special Education. The Consolidated Categorical Aid Programs include Economic Impact Aid (EIA-SCE, EIA-LEP), Miller-Unruh Special Reading Program, Peer Assistance and Review, School Improvement Program, School Safety and Violence Prevention, Tenth Grade Counseling, and Tobacco Use Prevention Education. The Uniform Complaint Procedure (UCP) has been established to address complaints alleging unlawful discrimination based on actual or perceived sex, age, ancestry, color, ethnic group identification, gender, mental and/or physical disability, national origin, race, religion, sexual orientation, and a person's association with a person or group with one or more of these actual or perceived characteristics.

The following process applies only to those complaints meeting the criteria under Uniform Complaint Procedures, described above:

- ❖ Informal resolution of complaints at the site level is encouraged whenever possible.
- ❖ Complaints made under these procedures shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.
- ❖ Within three days of receiving the complaint, the compliance officer may informally discuss with the complainant the possibility of using mediation.
- ❖ If the complainant refuses mediation or if the mediation process does not solve the problem, the compliance officer shall proceed with his/her investigation of the complaint.
- ❖ Within sixty days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report of the district's investigation and decision.
- ❖ If dissatisfied with the district's decision, the complainant may appeal in writing to the California State Department of Education (CDE) within 15 days of receiving the district's decision. When appealing to the CDE, the complainant must specify the basis for the appeal of the district's decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the district's decision.

The Board of Education acknowledges and respects student and employee rights to privacy. Discrimination complaints shall be investigated in a manner that protects the confidentiality of the parties and the facts. This includes keeping the identity of complainant confidential except to the extent necessary to carry out the investigation or proceedings, as determined by the Superintendent or designee on a case-by-case basis. Additionally, the Board of Education prohibits retaliation in any form for the filing of a complaint, the reporting of instances of discrimination or participation in complaint procedures. Such participation shall not in any way affect the status, grade or work assignments of the complainant.

The Superintendent designates the following as the compliance officer to receive and investigate all complaints and ensure district compliance with the law:

Assistant Superintendent, Human Resources
Santa Monica-Malibu Unified School District
1651 16th Street
Santa Monica, CA 90404
(310) 450-8338
8/08

