

UNIFORM COMPLAINT PROCEDURES**Santa Monica-Malibu Unified School District
Uniform Complaint Procedures**

The Board of Education recognizes that the district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The district shall investigate and seek to resolve any complaints alleging failure to comply with such laws and/or alleging unlawful discrimination, harassment, intimidation, or bullying in accordance with the uniform complaint procedures.

The district shall use the uniform complaint procedures to resolve any complaint alleging unlawful discrimination, harassment, intimidation, or bullying in district programs or activities based on 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, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Penal Code 422.55, or Government Code 11135, or based on association with a person or group with one or more of these actual or perceived characteristics.

Additionally, uniform complaint procedures shall be used to address any complaint regarding the programs and activities identified in Board Policy 1312.3.

The following process applies only to those complaints meeting the criteria under uniform complaint procedures:

1. Early and informal resolution of complaints at the site level is encouraged whenever possible.
2. Complaints made under these procedures shall be presented in writing using the below form to the compliance officer, who shall maintain a log of complaints received, providing each with a code number and a date stamp.
3. Within three business days of receiving the complaint, the compliance officer may informally discuss with all parties the possibility of using mediation.
4. If the complainant refuses mediation or if the mediation process does not solve the problem, the compliance officer shall proceed with the investigation of the complaint.
5. Within 10 calendar days of receiving the complaint, the compliance officer shall begin an investigation into the complaint. Within one business day of receiving the complaint, the compliance officer shall provide the complainant and/or the complainant's representative an opportunity to present the complaint and any evidence, or information leading to evidence, to support the allegation in the complaint.
6. Within 60 calendar 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.
7. If dissatisfied with the district's decision, the complainant may appeal in writing to the California State Department of Education (CDE) within 30 calendar days of receiving the district's written decision. When appealing to the CDE, the complainant must specify

and explain 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 prohibits any form of retaliation against any complainant or participant in the complaint process. Such participation shall not in any way affect the status, grades, or work assignments of the complainant.

Uniform Complaint Procedure Form

**Santa Monica-Malibu Unified School District
1717 4th Street
Santa Monica, CA
90401
310-450-8338**

UNIFORM COMPLAINT PROCEDURE FORM

This form is to be used to file a complaint that meets the criteria of the uniform complaint procedure.

TO: Santa Monica-Malibu Unified School District
Uniform Complaint Procedure Compliance Officer

FROM: _____
Last Name First Name

Address

Phone Number(s)

Date: _____

Indicate complaint area:

<input type="checkbox"/> Accommodations for pregnant and parenting teens	<input type="checkbox"/> Adult education programs
<input type="checkbox"/> After school education and safety programs	<input type="checkbox"/> Agriculture career technical education
<input type="checkbox"/> Career technical and technical education, and career technical and technical training programs	<input type="checkbox"/> Child care and development program
<input type="checkbox"/> Compensatory education	<input type="checkbox"/> Consolidated categorical aid programs
<input type="checkbox"/> Course periods without educational content	<input type="checkbox"/> Discrimination, harassment, intimidation or bullying
<input type="checkbox"/> Educational and graduation requirements	<input type="checkbox"/> Every Student Succeeds Act (ESSA)
<input type="checkbox"/> Local Control and Accountability Plan (LCAP)	<input type="checkbox"/> Migrant education
	<input type="checkbox"/> Student fees

<input type="checkbox"/> Physical education instructional minutes <input type="checkbox"/> Reasonable accommodations to a lactating student <input type="checkbox"/> School plans for student achievement (SPSA) <input type="checkbox"/> School site councils <input type="checkbox"/> State preschool health and safety issues in license-exempt programs <input type="checkbox"/> Any other state or federal educational program the Superintendent of Public Instruction or designee deems appropriate	<input type="checkbox"/> Regional occupational centers and programs <input type="checkbox"/> School safety plans <input type="checkbox"/> State preschool programs <input type="checkbox"/> 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
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Nature of Complaint: Please be specific in the reason(s) for your complaint including details of the complaint, names, locations, dates that are pertinent to your complaint. Include all necessary information for a complete understanding of your complaint. Use additional pages as necessary.

Signature

Date

Submit to:

Mark O. Kelly, Ed.D.
Deputy Superintendent
Uniform Complaint Procedure Compliance Officer
1717 4th Street
Santa Monica, CA 90401

Exhibit SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
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