

**COMMUNITY RELATIONS**

**Exhibit 1**

**San Joaquin County Office of Education**

**Uniform Complaint Procedures Annual Notification**

**To: Students, Employees, Parents or Guardians of its students, School and District Advisory Committees, Appropriate Private School Officials or Representatives, and Other Interested Parties**

San Joaquin County Office of Education (SJCOE) has the primary responsibility to insure compliance with applicable state and federal laws and regulations and has established procedures to address allegations of unlawful discrimination, harassment, intimidation, bullying and complaints alleging violation of state or federal laws governing educational programs.

SJCOE shall investigate and seek to resolve complaints using policies and procedures known as the Uniform Complaint Procedures (UCP) adopted by the San Joaquin County Board of Education. UCP complaints may be based on unlawful discrimination, harassment (all forms of harassment aside from sexual harassment which will be processed under 5145.7 – Sexual Harassment or AR 4031 – Complaints Concerning Discrimination in Employment), intimidation, or bullying against any person in SJCOE 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 actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, gender non-conformance, gender stereotyping, genetic information, or any other characteristic identified in Education Code §§ 200 or 220, Government Code § 11135, or Penal Code § 422.55, or on the basis of a person’s association with a person or group with one or more of these actual or perceived characteristics. The UCP shall also be used to investigate and resolve the following complaints:

1. Any complaint alleging SJCOE violation of applicable state and/or federal laws or regulations governing adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and developmental programs, child nutrition programs, special education programs.
2. Any complaint alleging SJCOE 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.

3. Any complaint alleging 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 education program of SJCOE, including curricular and extracurricular activities.
4. Any complaints alleging noncompliance with the legal requirements related to the implementation of the Local Control Accountability Plan (LCAP) by SJCOE.
5. Any complaint, by or on behalf of any student who is a foster youth, alleging SJCOE noncompliance with any legal requirement applicable to the student regarding placement decisions, the responsibilities of the SJCOE'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 graduation requirements.
6. Any complaint, by or on behalf of a homeless student as defined in 42 USC § 11434a, alleging SJCOE 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 graduation requirements.

A foster youth or homeless student who transfers into a county-operated high school or between county-operated high schools shall be notified of the SJCOE's responsibility to:

- a) Accept any coursework or part of the coursework that the student has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency, and to issue full or partial credit for the coursework completed.
  - b) Not require the student to retake any course or a portion of a course which he/she has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency.
  - c) If the student has completed his/her second year of high school before the transfer, provide the student information about SJCOE-adopted coursework and SJCOE-imposed graduation requirements from which he/she may be exempted pursuant to Education Code 51225.1.
7. Any complaint alleging SJCOE noncompliance with the requirements of Education Code §§ 51228.1 and 51228.2 that prohibit the assignment of a student to a course without educational content for more than one week in any semester or to a course the student has previously satisfactorily completed, without meeting specified conditions.
  8. Any complaint alleging SJCOE noncompliance with the physical education instructional minutes requirement for students in elementary school.

9. Any complaint alleging SJCOE noncompliance with federal or state laws or regulations governing regional occupational centers and programs.
10. Any complaint alleging SJCOE noncompliance with federal or state laws or regulations governing SJCOE's participation in any student financial assistance program authorized by Title IV.
11. 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.
12. Any other complaint as specified in a SJCOE policy.

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

Director of Human Resources  
2901 Arch Airport Road, Stockton, CA 95206 (physical)  
P.O. Box 213030, Stockton, CA 95213-9030 (mailing)  
FAX: (209) 468-9226

SJCOE ensures that the Director of Human Resources responsible for compliance and/or investigations is knowledgeable about the laws/programs that he/she is assigned to investigate.

Complaints alleging unlawful discrimination, harassment, intimidation, bullying, or related retaliation must be filed within six months from the date the alleged discrimination, harassment, intimidation, bullying, or retaliation occurred or the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, bullying, or retaliation.

Complaints will be investigated and a written decision or report will be sent to the complainant within 60 days from the receipt of the complaint. This 60 day time period may be extended by written agreement of the complainant. The Director of Human Resources shall conduct and complete the investigation in accordance with 5 CCR §§ 4680-4687 and in accordance with local procedures adopted under 5 CCR § 4621.

Any complainant who is dissatisfied with the final written decision has a right to appeal the decision made by SJCOE to the California Department of Education (CDE) by filing a written appeal within 15 days of receiving the decision. The complainant must specify the reason(s) for appealing the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal must include a copy of the locally filed complaint and the decision.

For complaints alleging unlawful discrimination based on state law (such as discriminatory harassment, intimidation, and bullying), the complainant may:

1. Pursue available civil law remedies outside of the SJCOE complaint procedures, including seeking assistance from mediation centers or public/private interest attorneys, 60 calendar days after the filing of an appeal with the CDE. (Ed. Code, § 262.3)
  
2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law. (Ed. on Code, § 262.3)
  
3. Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil Rights at [www.ed.gov/ocr](http://www.ed.gov/ocr) within 180 days of the alleged discrimination.

A copy of UCP shall be available free of charge. SJCOE will provide written notice of the revised UCP to all parents and students in SJCOE educational programs by publication on the SJCOE website.