

LODI UNIFIED SCHOOL DISTRICT

ANNUAL NOTIFICATION OF THE UNIFORM COMPLAINT PROCEDURES (UCP) 2017-2018

**For Pupils, Employees, Parents/Guardians, School and District Advisory Committee Members,
Private School Officials, and Other Interested Parties,**

Pursuant to California *Education Code* Section 35186, you are hereby notified that:

The Lodi Unified 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 charging of unlawful pupil fees and the non-compliance of our Local Control Accountability Plan (LCAP).

The Lodi Unified 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. Unlawful discrimination, harassment, intimidation, or bullying complaints against any protected group as identified in Education Code section 200 and 220 and Government Code section 11135, including any actual or perceived characteristics set forth in Penal Code section 422.5 or on a person's association with a person or group with one or more of these actual or perceived characteristics, in any program or activity by the Lodi Unified, which is funded directly by, or that receives or benefits from state financial assistance.

The UCP shall also be used when addressing complaints alleging failure to comply with state and/or federal laws in:

- Adult Education
- After School Education and Safety
- Agricultural Vocational Education
- American Indian Education Centers and Early childhood Education Program Assessments
- Bilingual Education
- California Peer Assistance and Review Programs for Teachers
- Career Technical Education
- Career Technical and Technical Education and Career Technical and Technical Training
- Child Care and Development
- Child Nutrition
- Compensatory Education
- Consolidated Categorical Aid
- Course Periods without Education Content
- Education of Pupils in Foster Care, Pupils who are Homeless, and former Juvenile Court Pupils now enrolled in a school district
- Economic Impact Aid
- English Learner Programs
- Every Student Succeeds Act / No Child Left Behind
- Local Control Accountability Plan (including Charter Schools as described in EC 47606.5 and 47607.3)
- Migrant Education
- Physical Education Instructional Minutes
- Pupil Fees
- Reasonable Accommodations to a Lactating Pupil
- Regional Occupational Centers and Programs
- School Safety Plans
- Special Education
- State Preschool
- Tobacco – Use Prevention Education

A pupil fee includes, but is not limited to, all of the following:

1. A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory or is for credit.
2. A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, clothes, or other materials or equipment.
3. A purchase that a pupil is required to make to obtain materials, supplies, equipment, or clothes associated with an educational activity.

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A complaint of noncompliance with laws relating to pupil fees may be filed no later than one year from the date the alleged violation occurred pursuant to the local UCP. A pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity. Lodi Unified 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, and 51225.2. This notice shall include complaint process information, as applicable.

Complaints other than complaints relating to pupil fees or LCAP must be filed in writing with the following compliance officer:

Enrique Avalos, Coordinator, Positive School Climate
1305 E. Vine St.
Lodi, CA 95240
(209) 331-7976 FAX (209) 331-7981

Complaints of noncompliance with laws relating to pupil fees or LCAP are filed with a principal of a school. A complaint regarding pupil fees or LCAP may be filed anonymously if the complaint provides evidence or information to support an allegation of noncompliance with laws relating to pupil fees or LCAP.

Complaints alleging 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.

Any complaint alleging that the district has not complied with legal requirements related to the implementation of the local control and accountability plan.

Complaints will be investigated and a written Decision or report will be sent to the complainant within sixty (60) days from receipt of the complaint. This sixty (60) day time period may be extended by written agreement of the complainant. The LEA 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.

The complainant has a right to appeal the LEA's Decision of complaints regarding specific programs, pupil fees, and the LCAP to the California Department of Education (CDE) by filing a written appeal within 15 days of receiving the LEA's Decision. The appeal must include a copy of the complaint filed with the LEA and a copy of the LEA'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.

A copy of the Lodi Unified School District's UCP policy and complaint procedures shall be available free of charge.