

Baldwin Park Unified School District
Uniform Complaint Procedures



Categorical Programs Complaints Brochure

describes the process in filing a complaint and contacts

Authorized by California Code of
Regulations, Title 5, Sections 4600 – 4687

3699 North Holly Avenue
Baldwin Park, California 91706
(626) 962-3311
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www.bpusd.net

Uniform Complaint Procedures

What is a complaint?

- A complaint is a written statement alleging discrimination, or a violation of a federal or state law within the following programs:
 - * Adult Education
 - * Career/Technical Education
 - * Child Development
 - * Consolidated Categorical Aid
 - ~ No Child Left Behind (NCLB)
 - ~ State Compensatory Education
 - ~ State Program for Students of Limited English Proficiency
 - ~ School Improvement
 - ~ Tenth-Grade Counseling
 - ~ Tobacco-Use Prevention Education
 - ~ Peer Assistance and Review
 - ~ School Safety and Violence Prevention Act
 - * Migrant and Indian Education
 - * Nutrition Services
 - * Special Education
 - * Discrimination
 - * Harassment
 - * Civil Rights Guarantees

- Williams Settlement complaints regarding instructional materials, emergency or urgent facilities conditions that pose a threat to the health and safety of pupils, and teacher vacancy or misassignment may be filed anonymously. Schools shall have a complaint form available for these types of complaints. Schools will not reject a complaint if the form is not used as long as the complaint is submitted in writing.

What are the responsibilities of the complainant?

The complainant:

- Receives and reviews the complaint procedures from the Local Educational Agency (LEA).
- Files a written complaint by following the steps described by the LEA complaint procedures.
- Provides the LEA investigator with documents and other evidence related to the allegations in the complaint.
- Files a written appeal within 15 days to the California Department of Education (CDE) for resolution if he or she finds the decision of the LEA is incorrect.
- Specifies in the appeal, the reason for the appeal to CDE and why the LEA facts are incorrect and/or the law is misapplied. The appeal packet shall contain a copy of the original complaint to the LEA and a copy of the LEA decision.
- Requests a reconsideration within 35 days to the State Superintendent of Public Instruction (SPI) if he or she finds the determination of the CDE's finding of facts are incorrect or the law is misapplied.

What are the responsibilities of the LEA?

The LEA:

- Ensures compliance with applicable federal and state laws and regulations.
- Adopts complaint policies and procedures not inconsistent with the California Code of Regulations, Title 5, Sections 4600 – 4687.
- Designates a staff member to be responsible for receiving, investigating and resolving complaints.
- Annually notifies parents/guardians, employees, committees, pupils and other interested parties of the LEA complaint procedures, including the opportunity to appeal the LEA's decision. The notice must also advise recipients of any civil law legal remedies that may be available. The notice must be (a) in English; (b) in the primary language of the students when 15 percent or more of the students speak that language.
- Protects complainants from retaliation.
- Implements the following procedures:
 1. Any individual, public agency, or organization alleging a violation of federal or state statutes may file a written complaint regarding specific programs with the LEA.
 2. Discrimination complaints must be filed with the LEA by a person harmed or by a person on behalf of others who have been subjected to discrimination. These complaints must be filed no later than six months from the date of the occurrence, or from the time the complainant first learned of the facts of the discrimination. The LEA must protect the confidentiality of the parties and the facts related to the case.
- Resolves the complaint and completes a written report within 60 days of receipt of a complaint. The LEA must give the filing party and opportunity to present evidence relevant to the complaint. The LEA must also advise the complainant regarding appeal rights to CDE within 15 days of receipt of the LEA decision.

What are the responsibilities of the CDE?

The California Code of Regulations, Title 5, Section 4610 authorizes CDE, through the UCP to process only complaints regarding student discrimination and/or categorical programs that are mandated by certain federal and state statutes and regulations as appeals of the LEA decision or, in certain specified situations, directly.

The CDE:

- Reviews, monitors and provides technical assistance to all LEAs regarding the adoption of complaint UCP policies.
- Refers each complaint to the LEA for resolution when appropriate.
- Considers a variety of alternatives to resolve allegations in the appeal when:
 1. The LEA fails to act within 60 days.
 2. A complainant appeals an LEA decision if he or she believes as a matter of fact or law the decision is incorrect.
 3. The Department determines that direct intervention is necessary.
- Requires corrective action by the LEA if non-compliance issues are identified during the investigation.
- Provides monitoring and technical assistance to LEAs to ensure resolution on non-compliant findings.
- Gives either party the right to request reconsideration of the CDE report to the SPI within 35 days of the receipt of the report.
- Gives either party the right to appeal the CDE report to the United States Secretary of Education for those programs governed by Part 76 of Title 34 of the Code of Federal Regulations.

CALIFORNIA DEPARTMENT OF EDUCATION Contacts for Programs and Services Covered Under the Uniform Complaint Procedures	Baldwin Park Unified School District Contacts for Programs and Services Covered Under the Uniform Complaint Procedures
Adult Education Adult Education Office 916-323-5074	Adult Education Senior Director: John Kerr, Ed.D (626) 939-4456
Career/Technical Education Regional Occupational Centers and Programs and Workforce Development Centers 916-322-5050	Career/Technical Education Assistant Superintendent: Christine Dennis (626) 962-3311 extension 4443
Child Care and Development, including: Alternative Payment, CalWORKS Stage 2 & 3, Exceptional Needs, Family Child Care Homes, General, Migrant, Protective Services, Resource and Referral, School-Age (Latchkey), Severely Handicapped, and State Preschool. Child Development Office 916-322-6233	Child Care and Development, including: Alternative Payment, CalWORKS Stage 2 & 3, Exceptional Needs, Family Child Care Homes, General, Migrant, Protective Services, Resource and Referral, School-Age (Latchkey), Severely Handicapped, and State Preschool. Associate Superintendent: Froilan Mendoza (626) 962-3311 extension 4207
Consolidated Categorical Aid, including: Economic Impact Aid/ State Compensatory Education (EIA/SCE) Economic Impact Aid/ State Program for students of Limited English Proficiency (EIA/LEP) No Child Left Behind, Titles I-VI (NCLB) School Improvement Tenth-Grade Counseling Tobacco-Use Prevention Education (TUPE) Peer Assistance and Review (PAR) School Safety and Violence Prevention Act Categorical Programs Complaint Management office 916-319-0929	Consolidated Categorical Aid: School Improvement Tenth-Grade Counseling, Peer Assistance and Review (PAR) Assistant Superintendent: Cynthia Cuevas (626) 962-3311 extension 4309 Impact Aid/State Compensatory Education (EIA/SCE) Economic Impact Aid/State Program for students of Limited English Proficiency (EIA/LEP) Director of Student Achievement: Madalena Arellano (626) 962-3311 extension 6017 No Child Left Behind, Titles I-VI (NCLB), Tobacco-Use Prevention Education (TUPE) ,School Safety and Violence Prevention Act Director of Support Services: Noreen Iwai-Ito (626) 962-3311 extension 4592
Migrant Education Migrant, Indian, and International Education Office 916-319-0851	Migrant Education Migrant, Indian, and International Education Office Assistant Superintendent: Christine Dennis (626) 962-3311 extension 4443
Nutrition Services Nutrition Services Division 916-445-0850	Nutrition Services Nutrition Services Director of Nutrition Services: Geoffrey Monsour (626) 962-3311 extension 4225
Special Education Procedural Safeguards and Referral Services Unit 800-926-0648	Special Education Director of Student Achievement: Madalena Arellano (626) 962-3311 extension 6017
Facilities (for Williams Settlement cases) School Facility Planning Division 916-322-2470	Facilities (for Williams Settlement cases) Director of Support Services: Noreen Iwai-Ito (626) 962-3311 extension 4592
Office of Equal Opportunity, including: Discrimination, Harassment, and Civil Rights Guarantees Office of Equal Opportunity 916-445-9174	Office of Equal Opportunity, including: Discrimination, Harassment, and Civil Rights Guarantees Assistant Superintendent: Cynthia Cuevas (626) 962-3311 extension 4309
For additional general information on Uniform Complaint Procedures, contact the Categorical Programs Complaints Management office, California Department of Education, Legal and Audits Branch, 1430 N Street, Ste. 5408, Sacramento, CA 95814; telephone 916-319-0929, or visit our Web site at: http://www.cde.ca.gov/re/cpl/uc	For additional general information on Uniform Complaint Procedures, contact the Director of Support Services, 3699 North Holly Avenue, Baldwin Park, California 91706; (626) 856-4592 or visit our web site at www.bpusd.net .
Adult and Community Education Uniform Complaint Procedures	
The district has established procedures to resolve alleged violations of state/federal funded programs. These procedures require the complainant to submit a written form (INST. 85/P-55) to Noreen Iwai-Ito. Ms. Iwai-Ito's office is located at the Baldwin Park Unified School District, 3699 North Holly Avenue in Baldwin Park (policy # 31312). You may also contact the Counsel on Occupational Education at 7840 Roswell Road, Building 300, Suite 325, Atlanta GA 30350 at 1(800) 917-2081 FAX (770) 396-3790.	