

Uniform Complaint Procedures (UCP)

Annual Notice

Butte County Office of Education

2023-24 UCP Annual Notice

Butte County Office of Education ("BCOE") annually notifies our students, employees, parents or guardians of its students, the district advisory committee, school advisory committees, appropriate private school officials, and other interested parties of the Uniform Complaint Procedures ("UCP") process. UCP covers those local educational agencies, including BCOE, which receive direct or indirect funding from the State to provide specific school programs, activities, or related services.

BCOE is primarily responsible for compliance with federal and state laws and regulations, including those related to unlawful discrimination, harassment, intimidation or bullying against any protected group, and all programs and activities that are subject to the UCP.

The UCP Annual Notice is available on our website.

Programs and Activities Subject to the UCP

- Accommodations for Pregnant and Parenting Pupils
- Adult Education
- After School Education and Safety
- Agricultural Career Technical Education
- Career Technical and Technical Education and Career Technical and Technical Training Programs
- Child Care and Development Programs
- Compensatory Education
- Consolidated Categorical Aid Programs
- Course Periods without Educational Content
- Discrimination, harassment, intimidation, or bullying against any protected group as identified under sections 200 and 220 and Section 11135 of the Government Code, including any actual or perceived characteristic as set forth in Section 422.55 of the Penal Code, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, in any program or activity conducted by an educational institution, as defined in Section 210.3, that is funded directly by, or that receives or benefits from, any state financial assistance.
- Educational and graduation requirements for pupils in foster care, pupils who are homeless, pupils from military families and pupils formerly in Juvenile Court now enrolled in a school district, pupils who are migratory, and pupils participating in a newcomer program.
- Every Student Succeeds Act
- Local Control and Accountability Plans (LCAP)
- Migrant Education
- Physical Education Instructional Minutes
- Pupil Fees
- Reasonable Accommodations to a Lactating Pupil
- Regional Occupational Centers and Programs
- School Plans for Student Achievement
- School Safety Plans
- Schoolsite Councils
- State Preschool
- State Preschool Health and Safety Issues in LEAs Exempt from Licensing

And any other state or federal educational program the State Superintendent of Public Instruction (“SSPI”) of the California Department of Education (CDE) or designee deems appropriate.

Complaints alleging noncompliance regarding child nutrition programs established pursuant to Education Code sections 49490-49590 are governed by Title 7, Code of Federal Regulations (“C.F.R.”) sections 210.19(a)(4), 215.1(a), 220.13(c), 225.11(b), 226.6(n), and 250.15(d) and Title 5, California Code of Regulations (“C.C.R.”) sections 15580 - 15584.

What issues are not covered by the UCP?

Not all complaints fall under the scope of the UCP. Many concerns are the responsibility of BCOE, including classroom assignments, common core, grades, graduation requirements, hiring and evaluation of staff, homework policies and practices, provision of core curricula subjects, student advancement and retention, student discipline, student records, the Bagley-Keene Open Meeting Act, the Brown Act, and other general education requirements. BCOE, however, may use its local complaint procedures to address complaints not covered by the UCP.

Only allegations within the subject matters falling within the UCP can be appealed to the California Department of Education (CDE).

In addition, the following complaints are referred to other agencies for resolution and not subject to the UCP:

- Allegations of child abuse are referred to County Departments of Social Services, Protective Services Divisions, or appropriate law enforcement agency.
- Health and safety complaints regarding licensed facilities operating a Child Development Program are referred to the Department of Social Services.
- Employment complaints are sent to the California Department of Fair Employment and Housing.

Filing a UCP Complaint

A UCP complaint shall be filed no later than one (1) year from the date the alleged violation occurred.

For complaints relating to Local Control and Accountability Plans (LCAP), the date of the alleged violation is the date when the reviewing authority approves the LCAP or annual update that was adopted by our agency.

A pupil enrolled in any of our public schools shall not be required to pay a pupil fee for participation in an educational activity.

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

- 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 extracurricular activity, regardless of whether the class or activity is elective or compulsory, or is for credit.
- A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, uniform, or other materials or equipment.
- A purchase that a pupil is required to make to obtain materials, supplies, equipment, or uniforms associated with an educational activity.

A pupil fee complaint may be filed with the principal of a school or our superintendent or their designee.

A pupil fee or LCAP complaint may be filed anonymously, that is, without an identifying signature, if the complainant provides evidence or information leading to evidence to support an allegation of noncompliance.

Responsibilities of Butte County Office of Education

We shall have the primary responsibility to ensure compliance with applicable state and federal laws and regulations. We shall investigate and seek to resolve, in accordance with our approved UCP process, complaints alleging failure to comply with applicable state and federal laws and regulations related to the issues set forth above. Accordingly, BCOE shall adopt UCP complaint policies and procedures, designate a staff member to be responsible for receiving, investigating, and resolving complaints, protect complainants from retaliation, provide a

written report, and advise on the right to appeal.

We shall post a standardized notice, in addition to this notice, with educational and graduation requirements for pupils in foster care, pupils who are homeless, pupils from military families and pupils formerly in Juvenile Court now enrolled in a school district.

If we find merit in a complaint, we will take corrective actions consistent with the requirements of existing law that will provide a remedy to all affected students, parents, and/or guardians, as applicable. For corrective actions related to pupil fees, remedies shall, where applicable, include reasonable efforts to ensure full reimbursement.

We advise complainants of the opportunity to appeal an Investigation Report of complaints regarding programs within the scope of the UCP to the California Department of Education (CDE) unless BCOE has used its local UCP to address a complaint not subject to the UCP.

A complainant who appeals this agency's decision to the CDE shall receive a written appeal decision from the CDE within 60 days of the CDE's receipt of the appeal, unless extended by written agreement with the complainant or the CDE documents exceptional circumstances and informs the complainant.

We advise complainants of civil law remedies, including injunctions, restraining orders, or other remedies or orders that may be available under state or federal discrimination, harassment, intimidation, or bullying laws, if applicable.

Copies of our UCP procedures shall be available free of charge.

For UCP Complaints Regarding State Preschool Health and Safety Issues Pursuant to Section 1596.7925 of the California Health and Safety Code

In order to identify appropriate subjects of state preschool health and safety issues pursuant to Section 1596.7925 of the California Health and Safety Code (HSC) a notice shall be posted in each California state preschool program classroom in each school in our agency.

The notice is in addition to this UCP annual notice and addresses parents, guardians, pupils, and teachers of (1) the health and safety requirements under Title 5 of the California Code of Regulations (5 CCR) that apply to California state preschool programs pursuant to HSC Section 1596.7925, and (2) the location at which to obtain a form to file a complaint.

Contact Information

Complaints within the scope of the UCP are to be filed with the person responsible for processing complaints:

Mikeial Williamson, Assistant Superintendent – Human Resources

Title IX Coordinator, Uniform Complaint Compliance Officer

Butte County Office of Education – Human Resources

1859 Bird Street, Oroville, CA 96965

(530) 532-5766

mwilliamson@bcoe.org

The above contact is knowledgeable about the laws and programs that they are assigned to investigate at Butte County Office of Education.

Butte County Office of Education
UNIFORM COMPLAINT FORM

TO: The Title IX & Uniform Complaint Compliance Officer

FROM: Name(s) _____

Address _____ Zip Code _____

Telephone (Home) _____ (Work) _____

School Site _____ Date of Incident _____

The Uniform Complaint Procedures (UCP) process may be used for complaints alleging non-compliance of state and federal laws governing educational programs or discrimination. Not all complaints are within the scope of the UCP, even if they involved alleged violations of law. Therefore, please refer to the Annual Notice to determine if your complaint meets the description of a UCP. Complaints shall be filed no later than one year from the date the alleged violation occurred.

PROGRAM(S) CONCERNED (please check below):

- 1) Programs governed by the Uniform Complaint Process (UCP)
- Accommodations for Pregnant or Parenting Pupils
 - Adult Education
 - After School Education and Safety
 - Agricultural Career Technical Education
 - Career Technical and Technical Education and Career Technical and Technical Training Programs
 - Child Care and Development Programs
 - Compensatory Education
 - Consolidated Categorical Aid Programs
 - Course Periods without Educational Content
 - Discrimination, harassment, intimidation, or bullying against any protected group as identified under sections 200 and 220 and Section 11135 of the Government Code, including any actual or perceived characteristic as set forth in Section 422.55 of the Penal Code, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, in any program or activity conducted by an educational institution, as defined in Section 210.3, that is funded directly by, or that receives or benefits from, any state financial assistance
 - Educational and graduation requirements for pupils in foster care, pupils who are homeless, pupils from military families and pupils formerly in Juvenile Court now enrolled in a school district, pupils who are migratory, and pupils participating in a newcomer program
 - Every Student Succeeds Act
 - Local Control and Accountability Plans (LCAP)
 - Migrant Education
 - Physical Education Instructional Minutes
 - Pupil Fees
 - Reasonable Accommodations to a Lactating Pupil
 - Regional Occupational Centers and Programs
 - School Plans for Student Achievement
 - School Safety Plans
 - SchoolSite Councils
 - State Preschools
 - State Preschool Health and Safety Issues in LEAs Exempt from Licensing

Butte County Office of Education
UNIFORM COMPLAINT FORM

OR

2) Discrimination, harassment, intimidation and bullying in programs receiving state financial assistance based on one of the following actual or perceived characteristics:

- | | |
|--|---|
| <input type="checkbox"/> Ethnic group identification | <input type="checkbox"/> Sexual orientation |
| <input type="checkbox"/> Religion | <input type="checkbox"/> Race |
| <input type="checkbox"/> Age | <input type="checkbox"/> Ancestry |
| <input type="checkbox"/> Gender | <input type="checkbox"/> National Origin |
| <input type="checkbox"/> Nationality | <input type="checkbox"/> Ethnicity |
| <input type="checkbox"/> Sex | <input type="checkbox"/> Physical or mental disability |
| <input type="checkbox"/> Color | <input type="checkbox"/> Actual or perceived sex |
| <input type="checkbox"/> Gender Expression | <input type="checkbox"/> Gender identity |
| <input type="checkbox"/> Disability | <input type="checkbox"/> Association with person/group listed above |

NATURE OF COMPLAINT. (This should be a description in your own words of the grounds of your complaint, including all names, dates, and places necessary for a complete understanding of your complaint. Attach additional sheets, if necessary).

Have you spoken with any district personnel regarding this complaint? Yes No

If so, what are their names?

What was the result of the discussion?

Signature: _____

Date: _____

PLEASE RETURN THIS FORM TO:

Mikeial Williamson, Assistant Superintendent – Human Resources
Title IX Coordinator, Uniform Complaint Compliance Officer
Butte County Office of Education – Human Resources
1859 Bird Street, Oroville, CA 96965
(530) 532-5766
mwilliamson@bcoe.org