

UNIFORM COMPLAINT PROCEDURES

For students, employees, parents/guardians, school and district advisory committee members, private school officials, and other interested parties

The Garden Grove Unified School District has the primary responsibility for compliance with federal and state laws and regulations. We have established the Uniform Complaint Procedures (UCP) 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 and Accountability Plan (LCAP).

The district shall investigate allegations of unlawful discrimination, harassment, intimidation, or bullying on the basis of actual or perceived ancestry, age, color, disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sex, sexual orientation, parental, pregnancy, family or marital status, military status or association with a person or a group with one or more of these actual or perceived characteristics for any program or activity conducted by the agency, which is funded directly by, or that receives or benefits from any state financial assistance.

In compliance with the California Code of Regulations, Title 5, Sections 4600-4671, any individual, public agency or organization may file a complaint under the Uniform Complaint Procedures if they believe the school district is not complying with federal or state laws or regulations pertaining to the following programs: Adult Education Programs, After School Education and Safety, Bilingual Education, California Peer Assistance and Review Programs, Compensatory Education, Consolidated Categorical Aid Programs, Career Technical and Technical Education and Career Technical and Technical Training Programs, Career Technical Education, Child Care and Development Programs, Child Nutrition Programs, Course Periods Without Educational Content, Economic Impact Aid, Education of Pupils in Foster Care and Pupils who are Homeless, Every Student Succeeds Act / No Child Left Behind, Local Control Accountability Plans, Migrant Education, Physical Education Instructional Minutes, Pupil Fees, Reasonable Accommodations to a Lactating Pupil, State Preschool, Tobacco-Use Prevention Education, Regional Occupational Centers and Programs, and Special Education Programs. The procedures shall also be used for the district's non-compliance in the areas of federal school safety planning and Lesbian, Gay, Bisexual, Transgender, and Questioning (LGBTQ) resources pursuant to Education Code section 234.1. Complaints of non-compliance with these sections shall be filed in accordance with Administrative Regulation 3119.1.

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.

A pupil fees or LCAP complaint may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint. A pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity. A pupil fee complaint shall be filed no later than one year from the date the alleged violation occurred.

The district shall post a standardized notice of the educational rights of foster and homeless youth as specified in Education Code sections 48853, 48853.3, 48863.5, 49069.5, 51225.1, and 51225.2. This notice shall include the complaint process information, as applicable.

A pupil fees complaint is filed with the district and/or the principal of a school. Complaints other than issues relating to pupil fees must be in writing, and all relevant facts must be clearly stated. A complaint should be mailed to:

Executive Director of K-12 Educational Services
Garden Grove Unified School District
10331 Stanford Avenue, Garden Grove, CA 92840
For inquiries, you may call (714) 663-6143

Complaints alleging discrimination, harassment, intimidation, or bullying must be filed within six (6) months from the date of 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.

Within 60 days after receiving the complaint, the Uniform Complaint Officer will complete an investigation of the complaint and prepare a written district decision which will be sent to the complainant along with information regarding appeal of the district decision. This time period may be extended by written agreement of the complainant. The person responsible for investigating the complaint shall conduct and complete the investigation in accordance with local procedures adopted under section 4621.

The complainant has a right to appeal the district decision to the California Department of Education by filing a written appeal within 15 days of receiving the district decision and including a copy of the complaint filed with the district and a copy of the district's decision. The State Superintendent of Public Instruction is required to issue a decision on the appeal within 60 days of the Superintendent of Public Instruction's receipt of the appeal. If the school district finds merit in the complaint or the Superintendent of Public Instruction finds merit in an appeal, the school district will provide a remedy to all affected pupils, parents, and guardians.

Nothing in this procedure precludes a complainant from pursuing civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable, pursuant to Education Code Section 262.3.

E.C. Section 35186 authorizes the filing of complaints for alleged deficiencies in instructional materials, emergency or urgent facilities conditions that pose a threat to the health and safety of students or staff, teacher vacancies or misassignments, and restroom conditions. Such complaints shall be filed pursuant to Administrative Regulation 3119.2.

Copies of the district uniform complaint policies procedures are available free of charge (B.P. 3119, A.R. 3119.1).