

LIFELINE EDUCATION CHARTER SCHOOL UNIFORM COMPLAINT PROCEDURES POLICY

This Uniform Complaint Procedures Policy (“UCP”) of Lifeline Education Charter School (“Charter School”) contains rules and instructions about the filing, investigation, and resolution of UCP complaints regarding any alleged violation of federal or state laws or regulations governing certain educational programs and activities offered by the Charter School. The Charter School shall have the primary responsibility to ensure compliance with applicable state and federal laws and regulations.

The Charter School developed this UCP pursuant to Title 5, California Code of Regulations, Sections 4600-4687. This UCP shall apply only to those complaints that fall within the scope of the UCP and are applicable to charter schools. It does not apply to complaints arising from the employment relationship, which are separately addressed by the Charter School’s employment policies. It also does not apply to complaints regarding classroom assignments, student advancement and retention, selection/provision of textbooks and materials, student discipline, provision of core curricula subjects, facilities, graduation requirements, homework policies and practices, use of general education funds, or dress codes and school uniforms.

COMPLAINTS UNDER THIS UCP

A UCP complaint is a written and signed statement by a complainant, including a person’s duly authorized representative or an interested third party, public agency, or organization, alleging a violation of federal or state laws or regulations. The Charter School shall investigate and seek to resolve, in accordance with this UCP, the following: complaints regarding certain programs and activities; complaints regarding charging pupil fees for participation in an educational activity; complaints regarding non-compliance with the requirements of the Charter School’s Local Control and Accountability Plans (“LCAP”); or an allegation of unlawful discrimination, harassment, intimidation, or bullying in certain programs or activities. A UCP complaint must be filed according to the procedures set forth herein.

The following complaints are subject to this UCP:

- (1) Complaints of unlawful discrimination, harassment, intimidation, or bullying against any protected group as identified in Education Code Sections 200 and 220 and Government Code Section 11135, including actual or perceived discrimination, on the basis of the actual or perceived characteristics of age, ancestry, color, mental disability, physical disability, ethnic group identification, gender expression, gender identity, gender, genetic information, nationality, national origin, race or ethnicity, religion, immigration status, medical condition, marital status, sex, or sexual orientation, 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 Charter School program or activity which is funded directly by, or that received or benefits from any state financial assistance, are subject to this UCP and will be investigated by the Charter School. Any Charter School personnel who witness an act of discrimination, harassment, intimidation or bullying, shall take immediate steps to intervene when safe to do so as required by Education Code Section 234.1. Complaints may be based on discrimination, harassment, intimidation, and/or bullying that occurs

employee-to-student, student-to-student, and/or third party conduct to a student. Such complaints may also include allegations of failure to provide reasonable accommodations to a lactating pupil on campus to express breast milk, breast-feed an infant child, or address other needs related to breast-feeding pursuant to Education Code Section 222.

- (2) Complaints of violations of state or federal law and regulations governing the following programs, to the extent offered by the Charter School, including but not limited to: Adult Education; After School Education and Safety; Agricultural Vocational Education; American Indian Education Centers and Early Child Education Program Assessments; California Peer Assistance and Review Programs for Teachers; Consolidated Categorical Aid; Course Periods without Educational Content; Career Technical and Technical Education and Career Technical and Technical Training; Child Care and Development; Child Nutrition; Education Of Pupils In Foster Care, Pupils Who Are Homeless, Former Juvenile Court Pupils Now Enrolled In the Charter School, and Pupils Of Military Families; Migrant Education; Every Student Succeeds Act (Titles I-VII); LCAP; Compensatory Education; Pupil Fees; Physical Education Instructional Minutes; Reasonable Accommodation to a Lactating Pupil; School Safety Plans; Regional Occupational Centers and Programs; Special Education; State Preschool; Bilingual Education; Economic Impact Aid; and Tobacco-Use Prevention Education.
- (3) A complaint may also be filed alleging that a pupil enrolled in the Charter School was required to pay a pupil fee for participation in an educational activity as those terms are defined below, unless the charge for such a fee is specifically authorized by law and does not violate Education Code Section 49011.
 - a. “Educational activity” means an activity offered by a school, school district, charter school or county office of education that constitutes an integral fundamental part of elementary and secondary education, including, but not limited to, curricular and extracurricular activities.
 - b. “Pupil fee” means a fee, deposit or other charge imposed on pupils, or a pupil’s parents or guardians, in violation of Section 49011 of the Education Code and Section 5 of Article IX of the California Constitution, which require educational activities to be provided free of charge to all pupils without regard to their families’ ability or willingness to pay fees or request special waivers. A pupil fee includes, but is not limited to, all of the following:
 - i. 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.
 - ii. 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.

- iii. A purchase that a pupil is required to make to obtain materials, supplies, equipment or uniforms associated with an educational activity.
- (4) Complaints concerning the Charter School's LCAP (Education Code Section 52075) are subject. The LCAP is an important component of the Local Control Funding Formula (LCFF), the revised school finance system that overhauled how California funds its K-12 schools. Under the LCFF, the Charter School is required to prepare an LCAP, which describes how we intend to meet annual goals for our pupils, with specific activities to address state and local priorities identified pursuant to Education Code Section 52060(d).

CONFIDENTIALITY AND NON-RETALIATION

The Charter School acknowledges and respects every individual's rights to privacy. Unlawful discrimination, harassment, intimidation or bullying complaints shall be investigated in a manner that protects (to the greatest extent reasonably possible) the confidentiality of the parties and the integrity of the process. The Charter School will make every effort to keep as confidential the identity of the complainant alleging discrimination, harassment, intimidation or bullying. The Charter School may find it necessary to disclose information regarding the complaint/ complainant to the extent necessary to carry out the investigation or proceedings, as determined by the Executive Director or designee on a case-by-case basis.

The Charter School prohibits any form of retaliation against any complainant in the complaint process, including but not limited to a complainant's filing of a complaint or the reporting of instances of unlawful discrimination, harassment, intimidation or bullying. Such participation shall not in any way affect the status, grades, or work assignments of the complainant.

COMPLIANCE OFFICER

The Board of Directors designates the following compliance officer(s) to receive and investigate complaints and to ensure the Charter School's compliance with law:

Tinia Cortez
Compliance Officer
225 S. Santa Fe Ave.
Compton, CA 90221
(310) 885-1872

The Executive Director or designee shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. Designated employees may have access to legal counsel as determined by the Executive Director or designee.

Should a complaint be filed against the Executive Director, the compliance officer for that case shall be the President of the Board of Directors.

NOTIFICATIONS

The Executive Director or designee shall annually provide written notification of this UCP to employees, students, parents and/or guardians, advisory committees, private school officials, and other interested parties that includes information regarding allegations about discrimination, harassment, intimidation, or bullying.

The annual notice shall be in English, and when necessary, in the primary language, pursuant to section 48985 of the Education Code if fifteen percent (15%) or more of the pupils enrolled in the Charter School speak a single primary language other than English.

The Executive Director or designee shall make available copies of this UCP free of charge.

PROCEDURES

The following procedures shall be used to address all complaints which allege that the Charter School has violated federal or state laws or regulations governing educational programs. Compliance officers shall maintain a record of each complaint and subsequent related actions.

All parties involved in allegations shall be notified when a complaint is filed, when a complaint meeting or hearing is scheduled, and when a decision or ruling is made.

- **Step 1: Filing of Complaint**

Any individual, public agency, or organization may file a written complaint of alleged noncompliance by the Charter School.

A complaint alleging unlawful discrimination, harassment, intimidation or bullying shall be initiated no later than six (6) months from the date when the alleged unlawful discrimination, harassment, intimidation or bullying occurred, or six (6) months from the date when the complainant first obtained knowledge of the facts of the alleged unlawful discrimination, harassment, intimidation or bullying. A complaint may be filed by a person who alleges that he/she personally suffered unlawful discrimination, harassment, intimidation or bullying or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination, harassment, intimidation or bullying. If the complaint is not timely filed, the complainant will be notified of his or her right to appeal to the State Superintendent of Public Instruction for an extension of time in which to file the complaint.

Pupil fee complaints shall be filed not later than one (1) year from the date the alleged violation occurred, and complaints may be filed with the Campus Administrator or the compliance officer.

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and date stamp. The compliance officer will evaluate the complaint to determine whether it is subject to this UCP and will notify the complainant within five (5) workdays if the complaint is outside the jurisdiction of this UCP.

Complainants are encouraged, but not required, to use the appropriate complaint form, attached. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, the Charter School staff shall assist him/her in the filing of the complaint.

A complaint related to pupil fees and/or LCAPs may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance.

- **Step 2: Mediation**

Within ten (10) workdays of receiving the complaint, the compliance officer may informally discuss with the complainant the possibility of using mediation. If the complainant agrees to mediation, the compliance officer shall make arrangements for this process. The compliance officer shall inform the complainant that the mediation process may be terminated at any time and proceed directly to an investigation.

Before initiating the mediation of an unlawful discrimination, harassment, intimidation or bullying complaint, the compliance officer shall ensure that all parties agree to make the mediator a party to related confidential information.

If mediation resolves the complaint to the satisfaction of both parties, the Charter School will implement any remedial measures and the complainant may choose to withdraw the complaint. If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with his/her investigation of the complaint.

The use of mediation shall not extend the Charter School's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time.

- **Step 3: Investigation of Complaint**

The compliance officer is encouraged to hold an investigative meeting within ten (10) workdays of receiving the complaint or an unsuccessful attempt to mediate the complaint. This meeting shall provide an opportunity for the complainant and/or his/her representative to repeat the complaint orally. The complaint will be investigated and a written report issued to the complainant within sixty (60) calendar days from the date of the receipt of the complaint, unless the complainant agrees in writing to an extension of time

The complainant and/or his/her representative shall have an opportunity to present the complaint and evidence or information leading to evidence to support the allegations in the complaint.

A complainant's refusal to provide the Charter School's investigator with documents or other evidence related to the allegations in the complaint, or his/her failure or refusal to cooperate in the investigation or his/her engagement in any other obstruction of the

investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegation.

The Charter School's refusal to provide the investigator with access to records and/or other information related to the allegation in the complaint, or its failure or refusal to cooperate in the investigation or its engagement in any other obstruction of the investigation, may result in a finding, based on evidence collected, that a violation has occurred and may result in the imposition of a remedy in favor of the complainant.

- **Step 4: Response**

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant a written report of the Charter School's investigation and decision, as described in Step #5 below, within sixty (60) days of the Charter School's receipt of the complaint.

- **Step 5: Final Written Decision**

The Charter School's decision shall be in writing and sent to the complainant. The Charter School's decision shall be written in English and in the language of the complainant whenever feasible or as required by law.

The decision shall include:

1. The findings of fact based on evidence gathered.
2. The conclusion(s) of law.
3. Disposition of the complaint.
4. Rationale for such disposition.
5. Corrective actions, if any are warranted.
6. Notice of the complainant's right to appeal the Charter School's decision within fifteen (15) days to the CDE and procedures to be followed for initiating such an appeal. This appeal to the CDE must fully explain the basis for the appeal, stating how the facts of the Charter School's decision are incorrect and/or the law is misapplied.

For unlawful discrimination, harassment, intimidation or bullying complaints arising under state law, the notice shall also state that the complainant must wait until sixty (60) days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies.

For unlawful discrimination, harassment, intimidation or bullying complaints arising under federal law, such complaint may be made at any time to the U.S. Department of Education, Office for Civil Rights.

If a student or employee is disciplined as a result of the complaint, the decision shall simply state that effective action was taken and that the student or employee was informed of the Charter School's expectations. The report shall not give any further information as to the nature of the disciplinary action.

If the Charter School finds merit in a complaint regarding Pupil Fees; LCAP; Education of Pupils in Foster Care, Pupils who are Homeless, former Juvenile Court Pupils now enrolled in the Charter School, and pupils in military families; Reasonable Accommodations to a Lactating Pupil; Course Periods without Educational Content (grades nine through twelve); and Physical Education Instructional Minutes (grades one through eight), the Charter School shall provide a remedy. The remedy shall go to the affected pupil in the case of complaints regarding: Course Periods without Educational Content; Reasonable Accommodations to a Lactating Pupil; and/or Education of Pupils in Foster Care, Pupils Who Are Homeless, Former Juvenile Court Pupils Now Enrolled In the Charter School, and Pupils in Military Families. The remedy shall to go all affected pupils and parents/guardians in the case of complaints regarding: Pupil Fees; Physical Education Instructional Minutes; and/or LCAPs. The Charter School, in good faith, will engage in reasonable efforts to identify and fully reimburse all pupils, parents, and guardians who paid an unlawful pupil fee within one year prior to the filing of the complaint.

APPEALS TO THE CALIFORNIA DEPARTMENT OF EDUCATION

If dissatisfied with the Charter School's decision, the complainant may appeal in writing to the CDE within fifteen (15) days of receiving the Charter School's decision. When appealing to the CDE, the complainant must specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the Charter School's decision.

Upon notification by the CDE that the complainant has appealed the Charter School's decision, the Executive Director or designee shall forward the following documents to the CDE:

1. A copy of the original complaint.
2. A copy of the decision.
3. A summary of the nature and extent of the investigation conducted by the Charter School, if not covered by the decision.
4. A copy of the investigation file, including but not limited to all notes, interviews, and documents submitted by all parties and gathered by the investigator.
5. A report of any action taken to resolve the complaint.
6. A copy of the Charter School's complaint procedures.
7. Other relevant information requested by the CDE.

The CDE may directly intervene in the complaint without waiting for action by the Charter School when one of the conditions listed in Title 5, California Code of Regulations, Section 4650 exists, including cases in which the Charter School has not taken action within sixty (60) days of the date the complaint was filed with the Charter School.

CIVIL LAW REMEDIES

A complainant may pursue available civil law remedies outside of the Charter School's UCP. 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. For unlawful discrimination, harassment, intimidation or bullying complaints arising under state law, however, a complainant must wait until sixty (60) calendar days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies. The moratorium does not apply to injunctive relief and is applicable only if the Charter School has appropriately, and in a timely manner, apprised the complainant of his/her right to file a complaint in accordance with Title 5, California Code of Regulations, Section 4622.

UNIFORM COMPLAINT PROCEDURE FORM

Last Name: _____ First Name/MI: _____

Student Name (if applicable): _____ Grade: _____ Date of Birth: _____

Street Address/Apt. #: _____

City: _____ State: _____ Zip Code: _____

Home Phone: _____ Cell Phone: _____ Work Phone: _____

School/Office of Alleged Violation: _____

For allegation(s) of noncompliance, please check the applicable program or activity referred to in your complaint:

- | | | |
|---------------------------------------------------------------------------|---------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| <input type="checkbox"/> Adult Education | <input type="checkbox"/> After School Education and Safety | <input type="checkbox"/> Agricultural Vocational Education |
| <input type="checkbox"/> American Indian Education | <input type="checkbox"/> Consolidated Categorical Aid | <input type="checkbox"/> Career/Technical Education |
| <input type="checkbox"/> Child Care and Development | <input type="checkbox"/> Child Nutrition | <input type="checkbox"/> Lactating Pupils |
| <input type="checkbox"/> Migrant Education | <input type="checkbox"/> Every Student Succeeds Act | <input type="checkbox"/> Regional Occupational Programs |
| <input type="checkbox"/> Special Education | <input type="checkbox"/> State Preschool | <input type="checkbox"/> Tobacco-Use Prevention Education |
| <input type="checkbox"/> Pupil Fees | <input type="checkbox"/> LCAPs | <input type="checkbox"/> Economic Impact Aid |
| <input type="checkbox"/> Bilingual Education | <input type="checkbox"/> Compensatory Education | <input type="checkbox"/> School Safety Plans |
| <input type="checkbox"/> P.E. Instructional Minutes | <input type="checkbox"/> Course Periods without Educational Content | <input type="checkbox"/> Foster/Homeless/Juvenile Court Youth and Military Families |
| <input type="checkbox"/> Peer Assistance and Review Programs for Teachers | | |

For allegation(s) of unlawful discrimination, harassment, intimidation or bullying, please check the applicable basis of the unlawful discrimination, harassment, intimidation or bullying described in your complaint:

3. Please provide copies of any written documents that may be relevant or supportive of your complaint.

I have attached supporting documents.

Yes

No

Signature: _____ Date: _____

Mail complaint and any relevant documents to:

Lifeline Education Charter School
ATTN: Tinia Cortez
225 S. Santa Fe Ave. Compton, CA 90221
(310) 885-1872