

How to Submit a Complaint:

Any person, organization, or public agency may mail or fax a written complaint to:

Dr. Dean McGee
Chief Compliance Officer
Kern High School District
5801 Sundale Ave.
Bakersfield, CA 93309
Phone: (661) 827-3149
Fax: (661) 396-2961

Any person with a disability or who is unable to prepare a written complaint can receive assistance from the site administrator/designee or by calling Educational Services & Innovative Programs at 661-827-3149.

The District assures confidentiality to the maximum extent possible. The District prohibits retaliation against anyone who files a complaint or participates in the complaint investigation process.

Pursuant to Education Code §262.3, Complainants are advised civil law remedies may also be available under state or federal discrimination, harassment, intimidation, and/or bullying laws.

A copy of the District's UCP policy and complaint procedures shall be available free of charge. For questions regarding UCP, contact the Compliance Officer at 661-827-3149.

Complaint Investigation & Response:



Each complaint is Investigated by the appropriate District office, unit, division, or branch.

The Investigation and District Response:

1. Provides an opportunity for complainant and District personnel to present information relevant to the complaint
2. Obtains relevant information from other persons or witnesses who can provide evidence
3. Reviews related documents
4. Results in a written Report of Findings which contains the investigative findings and District's decision, including corrective action(s), if any, and suggested remedies, if applicable
5. Concludes the investigation within 60 days from the date of receipt of the written complaint, unless the complainant agrees in writing to extend the investigative timeline
6. Notifies the person or organization of appeal procedures

How to Appeal:

Persons or organizations disagreeing with the investigative findings and District's decision, or local site decisions involving Title VI or Title IX, have 15 days after receipt of the Report of Findings to file an appeal.

The appeal must be in writing and include a copy of the original complaint, as well as a copy of the District's decision. The appeal should be sent to:

**California Department of
Education 1430 N Street
Sacramento, CA 95814**

The 60-day timeline for investigation and District response shall begin when the written complaint is received.

Uniform Complaint Procedures (UCP)



**Office of Educational
Services and
Innovative Programs
661-827-3149**

Why This Brochure?

The Kern High School District has the primary responsibility to ensure compliance with applicable state and federal laws and regulations, and shall investigate complaints alleging failure to comply with those laws and regulations including those alleging discrimination, harassment, intimidation, and/or bullying; unauthorized charging of pupil fees for educational activities; noncompliance with pupils in foster care and pupils who are homeless; provision of courses without educational content and previously completed/graded courses sufficient for satisfying requirements/prerequisites for postsecondary education and receipt of a diploma, except under specified conditions; failure to reasonably accommodate lactating students; and failure to comply with legal requirements pertaining to the Local Control Accountability Plan (LCAP). The District shall seek to resolve those complaints in accordance with the procedures set out in California Code of Regulations §§4600-4687 and the policies and procedures of the District, including allegations of retaliation for participation in the UCP process and/or to appeal District decisions regarding such complaints.

Protected Characteristics Covered under

UCP: Allegations of discrimination, harassment, intimidation, and/or bullying of students based on protected characteristics, set forth in Penal Code §422.55 and Education Code §220, include actual or perceived sex, sexual orientation, gender, gender identity, gender expression, race, ethnicity, ethnic group identification, ancestry, nationality, national origin, immigration status, religion, marital status, parental status, pregnancy, color, mental or physical disability, age, or on the basis of a person's association with a person or group with one or more of these actual

or perceived categories, in any program or activity it conducts or to which it provides significant assistance.

Complaints of discrimination, harassment intimidation, and/or bullying must be filed within six months from the date the alleged incident occurred or the date when knowledge of the facts of the alleged incident was first obtained.

Programs under UCP:

1. Discrimination, harassment, intimidation, and/or bullying
 - a. Employee-to-student, Student-to-student, Third party to student
2. Programs or activities
 - a. Title I through Title VII
 - b. Consolidated Categorical Aid
 - c. Economic Impact Aid
 - d. Adult Education
 - e. After School Education and Safety
 - f. Agriculture Vocational Education
 - g. Regional Occupation Centers
 - h. School Safety Plan
 - i. Career and Technical Education
 - j. Child Care and Development
 - k. Child Nutrition
 - l. Lactating Pupil Accommodations
 - m. Foster and Homeless Youth Services
 - n. Former Juvenile Court Students
 - o. Child of Military Family
 - p. Migrant Education
 - q. Tobacco-Use Prevention Education
 - r. English Learner Education
 - s. Special Education
 - t. Compensatory Education
 - u. Peer Assistance Review for Teachers
 - v. Retaliation against Complainant
3. Unauthorized Charging of Pupil Fees, per Education Code §49011 and §5 of Article IX of the California Constitution, for Educational Activities

- a. District pupils shall not be required to pay pupil fees for participation in educational activities
- b. Supplies, materials, and equipment needed to participate in educational activities shall be provided to pupils free of charge

A pupil shall not be required to pay a pupil fee for participation in an educational activity, unless the charge for such a fee is specifically authorized by law and does not violate Education Code §49011.

4. Failure to comply with legal requirements as to development, adoption and annual update of the LCAP, which includes identification of annual goals, actions to implement goals, and measuring student subgroup progress across indicators based on the States' eight priorities and aligned with the District's spending plan

5. Enrollment in Courses without Educational Content and Previously Completed or Graded Courses sufficient for satisfying requirements or prerequisites for postsecondary education and receipt of a diploma