



UNIFORM COMPLAINT PROCEDURES

The Oakley Union Elementary School District does not discriminate on the basis of race, color, national origin, ancestry, sex, sexual orientation, disability, religion, or age in any of its policies, procedures, or practices, in compliance with Title VI of the Civil Rights Act of 1964 (pertaining to race, color, and national origin), Title IX of the Education Amendments of 1972 (pertaining to sex), Section 504 of the Rehabilitation Act of 1973 (pertaining to disability) and the Age Discrimination Act of 1975 (pertaining to age). This non-discrimination policy covers admission and access to, and treatment and employment in, the District's programs and activities.

The Board of Trustees recognizes the District has primary responsibility for insuring that it complies with state and federal laws and regulations governing education programs. The District shall investigate and seek to resolve complaints at the local level. The District shall follow uniform complaint procedures when addressing complaints alleging unlawful discrimination or failure to comply with state or federal law in adult basic education, consolidated categorical aid programs, migrant education, vocational education, child nutrition programs and special education.

The Board prohibits retaliation in any form for the filing of a complaint, the reporting of instances of discrimination, or for participation in complaint procedures. Such participation shall not in any way affect the status, grades, or work assignment of the complainant.

The Board acknowledges and respects student and employee rights to privacy. Discrimination complaints shall be investigated in a manner that protects the confidentiality of the parties and the facts. This includes keeping the identity of the complainant confidential except to the extent necessary to carry out the investigation or proceedings, as determined by the Superintendent/designee on a case-by-case basis.

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

Overview of Timelines

1. The complaint of discrimination must be initiated *no* later than six (6) months from the date when the alleged discrimination occurred or when the complainant first obtained knowledge of the facts of the alleged discrimination. (Title 5, Section 4630)
2. The compliance officer is encouraged to hold an investigative meeting within five (5) days of receiving the complaint or an unsuccessful attempt to mediate the complaint.
3. Within sixty (60) days of receipt of a complaint, the Superintendent/designee shall complete the investigation and send a written decision to the complainant.
4. The written decision shall include notice of the complainant's right to appeal the decision with fifteen (15) days to the California Department of Education.

A complainant may pursue available civil law remedies outside of the complaint procedures of the District. Complainants may seek assistance from mediation centers or public or private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders. For discrimination complaints, however, a complainant must wait until 60 days have elapsed from the filing of an appeal with the California Department of Education before pursuing civil law remedies. The moratorium does not apply to injunctive relief and is applicable only if the District has appropriately, and in a timely manner, apprised the complainant of his/her right to file a complaint in accordance with the California Code of Regulations, Title 5, Section 4622.

Inquiries regarding the equal opportunity policies, the filing of grievances, or to request a copy of the grievance procedures covering discrimination complaints may be directed to: Superintendent, 91 Mercedes Lane, Oakley, CA 94561, (925) 625-0700.