



# TVCS

TEMECULA VALLEY CHARTER SCHOOL

A School Family for Your Family

President: Richard Sims

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## **TVCS Uniform Complaint Board Policy**

The Board of Directors recognizes that Temecula Valley Charter School is primarily responsible for complying with applicable state and federal laws and regulations governing educational programs. The Board encourages the early, informal resolution of complaints whenever possible and appropriate. The school shall investigate complaints alleging failure to comply with such laws and /or alleging discrimination, harassment, intimidation, and bullying and shall seek to resolve those complaints in accordance with the TVCS's uniform complaint procedures. (5 CCR 4600-4670)

Temecula Valley Charter School 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 in:

- Accommodations for Pregnant and Parenting Pupils
- After School Education and Safety
- Career Technical and Technical Education, Career Technical, Technical Training
- Compensatory Education
- Course Periods without Educational Content
- Education of Pupils in Foster Care, Pupils who are Homeless, former Juvenile Court Pupils now enrolled in a school district and Children of Military Families
- Every Student Succeeds Act
- Local Control and Accountability Plans (LCAP)

- Migrant Education
- Physical Education Instructional Minutes
- Reasonable Accommodations to a Lactating Pupil
- Regional Occupational Centers and Programs
- School Plans For Student Achievement
- School Safety Plans
- Schoolsite Councils

Temecula Valley Charter School's uniform complaint procedures (UCP) shall be used to investigate and resolve the following complaints:

1. Any complaint alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, in district programs and activities, against any protected group as identified under Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, including actual or perceived sex, sexual orientation, gender, gender identity, gender expression, or genetic information, ethnic group identification, race, ancestry, national origin, religion, marital or parental status, color, or physical or mental disability, or age, 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 district program or activity that receives or benefits from state financial assistance. (5 CCR 4610)
2. Any complaint alleging failure to comply with state and/or federal laws in adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and career technical and technical training programs, child care and development programs, child nutrition programs and special education programs. (5 CCR 4610)
3. Any complaint alleging discrimination, harassment, intimidation, or bullying in district programs and activities, regardless of whether the bullying is based on a person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual

orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on his/her association with a person or group with one or more of these actual or perceived characteristics.

4. Any complaint alleging the LEA's violation of the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities. (5 CCR 4610)
5. Any complaint alleging that the LEA has not complied with legal requirements related to the implementation of the local control and accountability plan. (Education Code 52075)
6. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy.
7. Any complaint alleging noncompliance with law regarding the prohibition against requiring students to pay student fees, deposits, and charges may be filed with the principal of a school or the superintendent or superintendent's designee. Such a complaint must be filed no later than one (1) year from the date of the alleged violation. The LEA shall attempt in good faith, by engaging in reasonable efforts, to identify and fully reimburse all pupils, parents, and guardians who paid a pupil fee within one (1) year prior to the filing of the complaint.
8. Any other complaint as specified in a district policy.

When an allegation that is not subject to the UCP is included in a UCP complaint, the district shall refer the non-UCP allegation to the appropriate staff or agency and shall resolve the UCP-related allegation(s) through the district's UCP.

The Board acknowledges and respects every individual's right to privacy. Discrimination complaints shall be investigated in a manner that protects the confidentiality of the parties and the integrity of the process. This may include keeping the identity of the complainant confidential, as appropriate and except to the extent necessary to carry out the investigation or proceedings, as determined by the Superintendent or designee, on a case-by-case basis.

The Board ensures protection against retaliation in any form 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

discrimination. Such participation shall not in any way affect the status, grades or work assignments of the complainant.

The Board recognizes that a neutral mediator can often suggest a compromise that is agreeable to all parties in a dispute. In accordance with uniform complaint procedures, whenever all parties to a complaint agree to try resolving their problem through mediation, the Superintendent or designee shall initiate that process. However, mediation shall not be offered or used to resolve any complaint involving sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that mediation results are consistent with state and federal laws and regulations.

Complaints related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, and teacher vacancies and misassignments shall be investigated pursuant to Temecula Valley Charter School's Williams uniform complaint procedure.