



**ENCINITAS UNION SCHOOL DISTRICT
2013-2014**

**ANNUAL NOTIFICATION OF
THE UNIFORM COMPLAINT PROCEDURES (UCP)**

For students, employees, parents or guardians of its students, school and district advisory committees, appropriate private school officials or representatives, and other interested parties

The Encinitas Union School District (EUSD) has the primary responsibility to ensure compliance with applicable state and federal laws and regulations and has established procedures to address allegations of unlawful discrimination and complaints alleging violation of state or federal laws governing educational programs.

The Encinitas Union School District shall investigate and seek to resolve complaints using policies and procedures known as the Uniform Complaint Procedures (UCP) adopted by our local board. Unlawful discrimination, harassment, intimidation, or bullying complaints may be based on actual or perceived sex, sexual orientation, gender, gender identity or expression, genetic information, marital or parental status, ethnic group identification, race, ancestry, nationality, national origin, religion, color, mental or physical disability, age, or any other characteristic identified in Education Code sections 200 and 210, Penal Code section 422.55, or Government Code section 11135, or on a person's association with a person or group with one or more of these actual or perceived characteristics, in any program or activity that receives or benefits from state financial assistance.

The UCP shall also be used when addressing complaints alleging failure to comply with state law prohibiting the requirement for a pupil to pay a pupil fee, deposit, or other charge for participation in an educational activity or with state and/or federal laws in Consolidated Categorical Aid Programs, Migrant Education, Career/Technical Education, Child Care And Developmental Programs, Child Nutrition Programs, Special Education Programs.

Except for complaints regarding pupil fees, complaints must be filed in writing with the following compliance officer:

Name and/or Title of Compliance Officer: Timothy Baird, Superintendent

Address: 101 S. Rancho Santa Fe Road, Encinitas, CA 92024

Telephone Number: (760) 944-4300 X1111

Complaints regarding pupil fees may be filed with the principal, who shall resolve the complaint or ensure that it is forwarded in a timely manner to the Compliance Officer. The complaint may be filed anonymously if it provides evidence, or information leading to evidence, to support an allegation or noncompliance with laws regarding pupil fees.

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

Complaints will be investigated and a written Decision or report will be sent to the complainant within sixty (60) days from the receipt of the complaint. This sixty (60) day time period may be extended by written agreement of the complainant. The EUSD person responsible for investigating the complaint shall conduct and complete the investigation in accordance with California Code of Regulations, Title 5, sections 4680-4687, and in accordance with procedures presented in Administrative Regulation 1312.3, Uniform Complaint Procedures.

The complainant has a right to appeal the EUSD's Decision to the California Department of Education (CDE) by filing a written appeal within 15 days of receiving the EUSD's Decision. The appeal must include a copy of the complaint filed with the EUSD and a copy of the EUSD's Decision.

Civil law remedies may be available under state or federal discrimination, harassment, intimidation, or bullying laws, if applicable. In appropriate cases, an appeal may be filed pursuant to Education Code Section 262.3. A complainant may pursue available civil law remedies outside of the EUSD's complaint procedures. 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.

A copy of the Encinitas Union School District's UCP policy and complaint procedures shall be available free of charge.