

UNIFORM COMPLAINT POLICY

The Board of Directors of Aspire Public Schools (“Aspire”) recognizes that Aspire is responsible for complying with applicable state and federal laws and regulations governing educational programs. We have established Uniform Complaint Procedures (UCP) to address allegations of unlawful discrimination, harassment, intimidation, and bullying, and complaints alleging violation of state or federal laws governing educational programs, the charging of unlawful pupil fees and the non-compliance of our Local Control and Accountability Plan (LCAP). The UCP shall be used for any program or activity conducted by Aspire, which is funded directly by, or that receives or benefits from any state financial assistance.

This section contains rules and instructions about the filing, investigation and resolution of a UCP complaint.

A UCP complaint is a written and signed statement by a complainant alleging a violation of federal or state laws or regulations, which may include an allegation of unlawful discrimination, harassment, intimidation, bullying or charging pupil fees for participation in an educational activity or non-compliance with the requirements of our LCAP. A complainant is any individual, including a person's duly authorized representative or an interested third party, public agency, or organization who files a written complaint alleging any of the above listed UCP complaint reasons. If the complainant is unable to put the complaint in writing, due to a disability or illiteracy, we shall assist the complainant in the filing of the complaint.

Aspire shall follow UCP for all allegations of unlawful discrimination, harassment, intimidation or bullying against any protected group as identified in Education Code section 200 and 220 and Government Code section 11135. This includes any actual or perceived characteristics as set forth in Penal Code section 422.55 or on the basis or a person’s association with a person or group with one or more of these actual or perceived characteristics. This list may be updated as required by law.

The UCP shall also be used when addressing complaints alleging failure to comply with state and/or federal laws in: After School Education and Safety, Child Nutrition, Consolidated Categorical Aid, Course Periods without Educational Content, Education of Pupils in Foster Care and Pupils who are Homeless, Every Student Succeeds Act / No Child Left Behind, Local Control Accountability Plans (LCAP), Migrant Education, Pupil Fees^{1,2}, Reasonable Accommodations to a Lactating Pupil, School Safety Plans and Special Education. This list may be updated as required by law.

Complaints *other* than issues relating to pupil fees must be filed in writing with the following designated to receive complaints:

**Uniform Complaint Officer
c/o Regional Manager of Student Services**

Aspire Bay Area 1001 22nd Ave Oakland, CA 94606 510-434-5000	Aspire Central Valley 3311 E. Morada Lane Stockton, CA 952-5 209-647-3047
Aspire Los Angeles 5901 E. Slauson Avenue Commerce, CA 90040	Aspire Memphis 3210 Raleigh Millington Road Memphis, TN 38128 901-416-5958

Any pupil fees complaint should be filed with the principal of a school.

¹ A pupil fee includes, but is not limited to, all of the following:

1. 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.
2. A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, clothes, or other materials or equipment.
3. A purchase that a pupil is required to make to obtain materials, supplies, equipment, or clothes associated with an educational activity.

² A pupil fee complaint shall be filed no later than one year from the date the alleged violation occurred.

ASSURANCES

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 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 CEO or CEO's designee on a case-by-case basis.

A pupil fees or LCAP complaint may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint.

The CEO or CEO's 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 CEO or CEO's designee.

The Board prohibits retaliation in any form for participating in complaint procedures, including but not limited to the 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 those involved.

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 to resolve their problem through mediation, the CEO or CEO's designee shall initiate mediation. The CEO or CEO's designee shall ensure that mediation results are consistent with state and federal laws and regulations.

This policy shall be disseminated annually to students, employees, parents or guardians of its students, school and district advisory committees, and other interested parties.

Aspire designates its General Counsel as the compliance officer. The compliance officer shall receive and investigate complaints and ensure compliance with the law. A designee appointed by General Counsel may conduct the investigation.

INITIATION OF COMPLAINT

A complaint shall be presented in writing by way of an Aspire Uniform Complaint Form and the complaint 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, unless the CEO or CEO's designee grants an extension of time.

Within five (5) days of receiving the complaint, the compliance officer or designee shall informally discuss with the complainant the possibility of using non-binding mediation, and if the informal mediation does not resolve the problem within the parameters of the law, the compliance officer or designee shall proceed with his or her investigation of the complaint.

INVESTIGATION OF COMPLAINT

The compliance officer or designee shall hold an investigative meeting within ten (10) days of receiving the complaint or an unsuccessful attempt to informally mediate the complaint. The investigative meeting shall provide an opportunity for the complainant and/or his or her representative to repeat the complaint orally. The complainant and/or his or her representative shall have an opportunity to present information relevant to the complaint. Parties to the complaint may discuss the complaint and question each other or each other's witnesses.

RESPONSE/RESOLUTION

An investigation shall be completed, resolved and decision rendered within sixty (60) days after receiving a request for direct intervention or an appeal request, unless the complainant agrees in writing to an extension of time. The complaint officer or designee shall prepare and send to the complainant a written report of the investigation and decision. The written report shall contain: Findings and disposition of the complaint; corrective actions (if any); rationale for such disposition; and procedures for initiating an

appeal with Aspire's Student Services Office. If requested, the Area Superintendent for Student Services or designee will complete an additional investigation and prepare and send to the complainant a written report of his or her investigation and decision. The Area Superintendent for Student Services' written report shall contain findings and disposition of the complaint; corrective actions (if any); rationale for such disposition; and procedures for initiating an appeal within fifteen (15) days of receiving the written report to the California Department of Education (CDE). The appeal to the CDE must include a copy of the originally filed complaint and a copy of our decision.

MEDIATION

Nothing in this document shall prohibit anyone involved in the complaint from utilizing alternative methods to resolve the allegations, such as mediation. Nor are we prohibited from resolving complaints prior to the formal filing of a written complaint. Mediation is a problem solving activity whereby a third party assists the parties to the dispute in resolving the complaint.

CIVIL LAW REMEDIES

Nothing in this policy precludes a complainant from pursuing available civil law remedies outside of Aspire's complaint procedures. Such remedies may include mediation centers, public/private interest attorneys, injunctions, restraining orders, etc. For discrimination complaints in California, however, a complainant must wait until sixty (60) days has 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 Aspire has appropriately, and in a timely manner, apprised the complainant of his or her right to file a complaint.



College for Certain

UNIFORM COMPLAINT FORM

Last Name _____ First Name _____
Student Name (if applicable) _____ Grade _____
Address _____ Apt. # _____
City _____ State _____ Zip Code _____
Home Phone _____ Cell Phone _____ Work Phone _____
Email Address _____

Date of Alleged Violation _____ School/Office of Alleged Violation _____

For allegations of noncompliance, please check the program or activity referred to in your complaint, if applicable:

- | | | |
|-----------------------------------------------|----------------------------------------------------------------|--------------------------------------------------------|
| <input type="checkbox"/> Child Nutrition | <input type="checkbox"/> Consolidated Categorical Aid | <input type="checkbox"/> Special Education |
| <input type="checkbox"/> Foster/Homeless | <input type="checkbox"/> Pupil Fees for Educational Activities | <input type="checkbox"/> After School Education/Safety |
| <input type="checkbox"/> School Safety Plans | <input type="checkbox"/> Local Control Accountability Plan | <input type="checkbox"/> Physical Education Minutes |
| <input type="checkbox"/> No Child Left Behind | <input type="checkbox"/> Every Student Succeeds Act | <input type="checkbox"/> Migrant Education |
- Courses without Educational Content/Already Satisfied for Graduation/Postsecondary Education

For complaints of discrimination, harassment, intimidation and/or bullying (employee-to-student, student-to-student, and third party to student), please check which of the actual or perceived protected characteristics upon which the alleged conduct was based:

- Sex Sexual Orientation Gender Gender Identity Gender Expression Ancestry
 Ethnic Group Identification Race or Ethnicity Religion Nationality National Origin Age
 Color Mental or Physical Disability Lactating Student
 Association with a person or group with one or more of the actual or perceived categories listed above

For complaints of bullying that are not based on the above listed protected characteristics, and other complaints not listed on this form, please contact your School Principal, Regional Office or Area Superintendent.

Regional Office Contact Information:

- Bay Area (EPA, Oakland, Richmond): 510.434.5000
 Central Valley (Modesto, Sacramento, Stockton): 209.647.3047, ext. 13903
 Los Angeles: 323.837.9920

If you have contacted your school and Regional Office and still require assistance, referrals or resources, please contact the Home Office Department of Student Services at 510.434.5000

1. Please give the facts about your complaint. Provide details such as the names of those involved, dates, whether witnesses were present, etc., that may be helpful to the complaint investigator.

2. Have you attempted to discuss your complaint with any Aspire Public Schools personnel? If so, with whom and what was the result?

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, email or deliver your complaint/documents to your regional office:

Uniform Complaint Officer
c/o Regional Manager of Student Services

Aspire Bay Area 1001 22nd Ave Oakland, CA 94606 510-434-5000	Aspire Central Valley 3311 E. Morada Lane Stockton, CA 952-5 209-647-3047
Aspire Los Angeles 5901 E. Slauson Avenue Commerce, CA 90040	Aspire Memphis 3210 Raleigh Millington Road Memphis, TN 38128 901-416-5958