

UNIFORM COMPLAINT PROCEDURE

FOR

INTERNATIONAL STUDIES LANGUAGE ACADEMY,

a California Nonprofit Public Benefit Corporation

INTRODUCTION

This document presents information about how International Studies Language Academy (ISLA) processes UCP complaints concerning particular programs or activities in which it receives state or federal funding regarding an alleged violation of federal or state laws or regulations governing educational programs, including allegations of unlawful discrimination, harassment, intimidation, bullying and noncompliance with laws relating to student fees and our Local Control Accountability Plan (LCAP).

Nothing in this document shall prohibit anyone involved in the complaint from utilizing alternative methods to resolve the allegations, such as conflict resolution or mediation. Nor is ISLA prohibited from resolving complaints through its conflict resolution procedure or mediation 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.

A 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, charging student fees for participation in an educational activity, or noncompliance 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 violation of federal or state laws or regulations, including allegations of unlawful discrimination, harassment, intimidation, bullying and noncompliance with laws relating to student fees. If the complainant is unable to put the complaint in writing, due to a disability or illiteracy, ISLA shall assist the complainant in the filing of the complaint.

Programs or activities in which ISLA receives state or federal funding are:

Consolidated Categorical Aid Programs
Child Nutrition Programs (National School Lunch Program)
Special Education Programs
Safety Planning Requirements
Local Control Funding Formula and Local Control Accountability Plans

The LCAP is an important component of the Local Control Funding Formula (LCFF), the revised school finance system that overhauled how California funds its K-12 schools. Under the LCFF we are required to prepare an LCAP, which describes how we intend to meet annual goals for our pupils, with specific activities to address state and local priorities identified pursuant to Education Code Section 52060(d).

II. NOTICE OF ACKNOWLEDGEMENT THAT STUDENT FEES ARE PROHIBITED

A student fee is a fee, deposit, or other charge imposed on students, or a student's parents or guardians, in violation of state codes and constitutional provisions which require educational activities to be provided free of charge to all students without regard to their families' ability or willingness to pay fees or request special waivers. Educational activities are those offered by a school, school district, charter school, or county office of education that constitute a fundamental part of education, including, but not limited to, curricular and extracurricular activities.

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

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

This notice does not prohibit ISLA from seeking replacement of lost or damaged school supplies, such as textbooks, uniforms, or musical instruments.

III. NOTICE OF NON-DISCRIMINATION & ANTI-HARASSMENT

This document also applies to the filing of complaints which allege unlawful discrimination, harassment, intimidation, and bullying against any protected group as identified under Education Code section 200 and 220 and Government Code section 11135, including those with actual or perceived characteristics such as age, ancestry, color, ethnic group identification, gender expression, gender identity, gender, disability, nationality, national origin, race or ethnicity, religion, sex, sexual orientation, 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 program or activity conducted by a local agency, which is funded directly by, or that receives or benefits from any state financial assistance.

The following complaints shall be referred to other agencies for appropriate resolution and are not subject to ISLA's UCP process set forth in this document unless these procedures are made applicable by separate interagency agreements:

- Allegations of child abuse shall be referred to County Department of Social Services (DSS), Protective Services Division, or appropriate law enforcement agency.
- Health and safety complaints regarding a Child Development Program shall be referred to the Department of Social Services for licensed facilities, and to the appropriate Child Development regional administrator for licensing-exempt facilities.
- Employment discrimination complaints shall be sent to the State Department of Fair Employment and Housing (DFEH).
- Allegations of fraud shall be referred to the Legal, Audits and Compliance Branch in the California Department of Education (CDE).

IV. RESPONSIBILITIES OF INTERNATIONAL STUDIES LANGUAGE ACADEMY

International Studies Language Academy has the responsibility to ensure compliance with applicable state and federal laws and regulations. ISLA shall investigate complaints alleging failure to comply with applicable state and federal laws and regulations and/or alleging discrimination, harassment, intimidation, bullying and charging student fees for participation in an educational activity and seek to resolve those complaints in accordance with UCP procedures.

In regards to complaints of noncompliance with laws relating to student fees, if ISLA finds merit in a complaint, a remedy will be provided to affected students, parents and guardians, that, where applicable, will include reasonable efforts by ISLA to ensure full reimbursement to all affected students, parents and guardians.

UCP procedures shall ensure that complainants are protected from retaliation and that the identity of a complainant alleging discrimination, harassment, intimidation, and bullying remains confidential as appropriate.

The person responsible for receiving and investigating complaints and ensuring compliance with state and federal laws and regulations is:

Contact: TO BE DETERMINED
Address: SCHOOL'S ADDRESS
Telephone: SCHOOL'S TELEPHONE

The Governing Board shall ensure that the person above, who is responsible for compliance and/or investigations, is knowledgeable about the laws/programs that he/she is assigned to

investigate. Complaints of noncompliance with laws relating to student fees are filed with a principal of a school.

ISLA shall notify in writing to the students, employees, parents or guardians of students, and other interested parties of the UCP process regarding an alleged violation by a local agency of federal or state law or regulations governing educational programs, including allegations of unlawful discrimination, harassment, intimidation, bullying and noncompliance with laws relating to student fees and the LCAP. The UCP notice will be disseminated to the required groups and will include information on how to appeal to the CDE. An appeal is a request made in writing to a level higher than the original reviewing level by an aggrieved party requesting reconsideration or a reinvestigation of the lower adjudicating body's decision.

The UCP notice shall also advise the recipient of any civil law remedies that may be available under state or federal discrimination, harassment, intimidation, and bullying laws, if applicable, and of the appeal pursuant to Education Code section 262.3. The UCP Annual Notice shall be in English and in the primary language, pursuant to section 48985 of the Education Code, or mode of communication of the recipient of the notice.

A copy of this UCP complaint policies and procedures document shall be available free of charge.

III. FILING A COMPLAINT WITH INTERNATIONAL STUDIES LANGUAGE ACADEMY

An investigation of alleged unlawful discrimination, harassment, intimidation, and bullying shall be initiated by filing a complaint no later than six 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, and bullying. The time for filing may be extended in writing by the ISLA Governing Board or his or her designee, upon written request by the complainant setting forth the reasons for the extension. The period for filing may be extended by the ISLA Governing Board or his or her designee for good cause for a period not to exceed 90 calendar days following the expiration of the six month time period. The Governing Board shall respond immediately upon a receipt of a request for extension.

The complaint shall be filed by one who alleges that he or she has personally suffered unlawful discrimination, harassment, intimidation, and bullying or by one who believes an individual or any specific class of individuals has been subjected to discrimination, harassment, intimidation, and bullying prohibited by this part.

An investigation of a discrimination, harassment, intimidation, and bullying complaint shall be conducted in a manner that protects confidentiality of the parties and maintains the integrity of the process.

Except for Williams Complaints, within 60 calendar days from the date of the receipt of the complaint, ISLA shall conduct and complete an investigation of the complaint in accordance with

the UCP policies and procedures and prepare a written Decision; also known as a final report. This time period may be extended by written agreement of the complainant.

The investigation shall include an opportunity for the complainant, or the complainant's representative, or both, to present the complaint(s) and evidence or information leading to evidence to support the allegations of non-compliance with state and federal laws and/or regulations.

Refusal by the complainant to provide the investigator with documents or other evidence related to the allegations in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegations.

Refusal by ISLA representatives to provide the investigator with access to records and/or other information related to the allegation in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in a finding based on evidence collected that a violation has occurred and may result in the imposition of a remedy in favor of the complainant.

The Governing Board shall issue a Decision based on the evidence. The Decision shall be in writing and sent to the complainant within 60 calendar days from receipt of the complaint. The Decision should contain:

- (i) the findings of fact based on the evidence gathered,
- (ii) conclusion of law,
- (iii) disposition of the complaint,
- (iv) the rationale for such disposition,
- (v) corrective actions, if any are warranted,
- (vi) notice of the complainant's right to appeal the Decision to the CDE, and
- (vii) procedures to be followed for initiating an appeal to the CDE.

Relevant Federal and State Laws:

34 Code of Federal Regulations [CFR] §§ 300.510-511
California Code of Regulations [CCR] Title 5 §§ 4600–4687
California Code of Regulations [CCR] Title 5 § 4610(b)
California Code of Regulations [CCR] Title 5 § 4622
California Code of Regulations [CCR] Title 5 §§ 4630–4631
California Education Code [EC] §§ 200, 220, 262.3
California Education Code [EC] §§ 234 – 234.5
California Education Code [EC] § 35186
California Education Code [EC] § 48985

California Education Code [EC] §§ 49010 - 49013
California Government Code [GC] §§ 11135, 11138
California Penal Code (PC) § 422.55

UNIFORM COMPLAINT PROCEDURE ANNUAL NOTICE

FOR

INTERNATIONAL STUDIES LANGUAGE ACADEMY,

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International Studies Language Academy (ISLA) 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, harassment, intimidation, and bullying, and complaints alleging violation of state or federal laws governing educational programs and the charging of unlawful pupil fees.

ISLA shall investigate and seek to resolve complaints using policies and procedures known as the Uniform Complaint Procedures (UCP) adopted by our Governing Board. Unlawful discrimination, harassment, intimidation, or bullying complaints may be based on actual or perceived age, ancestry, color, ethnic group identification, gender expression, gender identity, gender, disability, nationality, national origin, race or ethnicity, religion, sex, sexual orientation, 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 and/or federal laws such as the Consolidated Categorical Aid Programs and Special Education Programs.

A complaint of noncompliance with laws relating to pupil fees may be filed pursuant to the local UCP. A pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity.

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.

Complaints other than complaints relating to pupil fees must be filed in writing with the following compliance officer:

Contact: To be Determined
Address: To be Determined
Telephone: To be Determined

*Complaints of noncompliance with laws relating to pupil fees are filed with the principal of the school. A complaint regarding pupil fees may be filed anonymously if the complaint provides evidence or information to support an allegation of noncompliance with laws relating to 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 person responsible for investigating the complaint shall conduct and complete the investigation in accordance with sections 4680-4687 of the Uniform Complaint Procedure and in accordance with local procedures adopted under section 4621.

The complainant has a right to appeal the Decision to the California Department of Education (CDE) by filing a written appeal within 15 days of receiving ISLA's Decision. The appeal must include a copy of the complaint filed with ISLA and a copy of ISLA'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 LEA]'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 ISLA's UCP policy shall be available free of charge.

Applicable Law:

Education Code Section 35186;

Title 5 California Code of Regulations Section 4681, 4682, 4683