



LOS ANGELES UNIFIED SCHOOL DISTRICT  
MEMORANDUM

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**TITLE:** Uniform Complaint Procedures (UCP) 2009-2010  
**NUMBER:** MEM-4697.0  
**ISSUER:** Roberta Fesler, General Counsel  
Office of General Counsel  
**DATE:** May 20, 2009

**ROUTING**  
All Employees

**POLICY:** The Los Angeles Unified School District has the primary responsibility to ensure compliance with applicable state and federal laws and regulations, and shall investigate complaints alleging failure to comply with applicable state and federal laws and regulations and/or alleging discrimination. The District shall seek to resolve those complaints in accordance with the procedures set out in Sections 4600-4687 of the Title 5 Regulations and in accordance with the policies and procedures of the District.

This Memorandum, issued annually and applicable to the 2009-2010 school year, clarifies that uniform complaints may be used to file noncompliance or unlawful discrimination complaints and/or to appeal District decisions regarding such complaints. Uniform Complaint Procedures brochures are available at all school sites in the primary languages of that school community. Complainants are encouraged, where possible, to try to resolve their complaints directly at the school or work site or with their local district office.

A written notice regarding uniform complaint procedures must be disseminated annually to staff, students, parents or guardians, appropriate private school officials or representatives, and school and other interested parties including district advisory committees. Distribution may be in any form (newsletter, memorandum, staff/student/parent handbook, etc.) that will reach the school community.

**MAJOR CHANGES:** This Memorandum replaces MEM-4210.0, "Uniform Complaint Procedures (UCP) 2008-2009," issued on May 28, 2008, by the Office of General Counsel.

**GUIDELINES:** The following guidelines apply.

**I. BACKGROUND**

These Uniform Complaint Procedures were developed by the Los Angeles Unified School District (District) pursuant to Title 5, California Code of Regulations, Sections 4600-4687, during the 1992-1993 school year. The District's uniform complaint procedures may be used to file complaints with the District or to appeal District decisions which concern unlawful discrimination under the following federal/state laws: Section 504 of the Rehabilitation Act of 1973 or Title II of the Americans with Disabilities Act of 1990 (ADA) for the charges of discrimination based on mental or physical disability; Title IX of the



LOS ANGELES UNIFIED SCHOOL DISTRICT  
MEMORANDUM

---

Education Amendments of 1972 charges of discrimination/harassment based on sex including charges of sexual harassment and Title VI of the Education Amendments of 1964 for charges of discrimination based on race, color or national origin. Section 4900, et, seq. includes sexual identification, gender identity, ethnic identification and ancestry.

II. UNIFORM COMPLAINT PROCEDURES PROCESS JURISDICTION

A. Complaints Under the Jurisdiction of the District's Uniform Complaint Procedures Process:

The District's Uniform Complaint Procedures may be used for complaints or allegations of noncompliance involving the educational programs indicated below and complaints alleging unlawful discrimination as follows:

1. Adult Education
2. Allegations of unlawful adult-to-student, student-to-student, or non-employee discrimination including actual or perceived age, ancestry, color, disability (mental or physical), ethnic group identification, gender, gender identity, national origin, race, 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 the District that is funded directly or receives any state funds.
3. Career/Technical Education
4. Child Development
5. Child Nutrition Services
6. Consolidated Aid Categorical Programs
7. Migrant and Indian Education
8. Special Education

B. Complaints Not Under the Jurisdiction of the District's Uniform Complaint Procedures Process:

1. Allegations of employment/work, employee-to-employee or student-to-employee discrimination/harassment complaints may be referred to the District's Equal Employment Opportunity Office at (213) 241-7685.



LOS ANGELES UNIFIED SCHOOL DISTRICT  
MEMORANDUM

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2. Allegations of suspected child abuse shall be referred to the Los Angeles County Department of Family Children Services (DCFS) or the appropriate city police department or Los Angeles County Sheriff's Department, as applicable.
3. Allegations of fraud shall be referred to the responsible division/branch/department/unit/local district administrator or to the Office of the Inspector General.
4. Personnel action complaints shall be referred to the responsible division/branch/department/unit/local district administrator or to the Office of the Board Secretariat, if matter is applicable to the District's Board Rule 133 Complaint procedures process.
5. Health and safety complaints regarding a Child Development Program shall be referred to the Department of Social Services, for licensed facilities.

III. RELATED DEFINITIONS

Title 5, California Code of Regulations provides the following definitions:

- A. Appeal: A request made in writing to a level higher than the original reviewing level by an aggrieved party requesting reconsideration or a reinvestigation.
- B. Complainant: An individual, including a person's duly authorized representative or an interested third party, public agency, or organization who files a written complaint alleging a violation of federal or state laws or regulations, including allegations of unlawful discrimination in programs and activities funded directly by the state or receiving any financial assistance from the state.
- C. Complaint: A written and signed statement alleging a violation of federal or state laws or regulations, which may include an allegation of unlawful discrimination. If the complainant is unable to put the complaint in writing, due to conditions such as a disability or illiteracy, the District shall assist the complainant in the filing of the complaint.
- D. Complaint Investigation: Administrative process used by the District, the California Department of Education (CDE), or the U.S. Department of Education (USDE) for the purpose of gathering data regarding the complaint.



# LOS ANGELES UNIFIED SCHOOL DISTRICT

## MEMORANDUM

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- E. Complaint Procedure: An internal process used by the District to process and resolve complaints.
- F. Compliance Agreement: An agreement or plan, following a finding or District noncompliance with state laws and regulations, which has been developed by the District and approved by the California Department of Education to resolve a noncompliance issue.
- G. Days: Calendar days unless otherwise designated.
- H. Direct State Intervention: The steps taken by the California Department of Education to initially investigate complaints or effect compliance.
- I. Local Agency: A school district governing board or a local public or private agency which receives direct or indirect funding or any other financial assistance from the state to provide any school programs or activities or special education or related services.
- J. Mediation: A problem-solving activity whereby a third party assists the parties to the dispute in resolving the complaint. Pursuant to federal law, participation in mediation by complainants filing complaints is voluntary, not mandatory.
- K. State Mediation Agreement: A written, voluntary agreement, approved by the California Department of Education, which is developed by the District and the complainant to the dispute, which resolves the allegations of the complaint.

#### IV. NOTIFICATION – DISSEMINATION

##### A. Employees

The *Uniform Complaint Procedures Memorandum* is to be provided to all District employees on an annual basis at the beginning of each school year.

##### B. Students

The District's formal complaint procedures are provided in the "*Parent Student Handbook*." All schools are required to annually distribute the "*Parent Student Handbook*" to every student at the beginning of each school year or upon their first enrollment into any LAUSD school.



# LOS ANGELES UNIFIED SCHOOL DISTRICT

## MEMORANDUM

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### C. Parents and/or Guardians

The District's "*Parent Student Handbook*" may be used to provide parents and guardians notification of the District's formal complaint procedures.

### D. District/School Advisory Committees - Other Interested Parties

The *Uniform Complaint Procedures* brochure may be used to provide information regarding the District's formal complaint procedures to District/School Advisory Committees, as well as other interested parties.

## V. CONFIDENTIALITY AND NONRETALIATION

Complaints shall be handled in a confidential manner to respect the privacy of all parties to the fullest extent possible. Every effort shall be made to limit the distribution of information to those persons with a need to know within the confines of the District's reporting procedures and investigative process.

The District prohibits retaliation in any form for the filing of a complaint or an appeal, reporting instances of non-compliance or discrimination, or for participation in the complaint-filing or investigation process. These confidentiality and nonretaliation requirements extend to all parties involved.

## VI. FORMAL COMPLAINT PROCEDURES

### A. Complaint Filing

1. Any individual, public agency or organization may file a written complaint, alleging a matter which, if true, would constitute a violation by the District of federal or state laws or regulations governing the programs and activities as well as allegations of unlawful discrimination identified in the General Information section of this document.
2. Any parent/guardian/individual/organization has the right to file a written complaint of discrimination within six months from the date the alleged discrimination occurred or the date the complainant first obtained knowledge of the facts of the alleged discrimination.
3. A complainant who makes a verbal complaint shall be referred to the administrator/designee who will assist any person with a disability or who is unable to prepare a written complaint.



LOS ANGELES UNIFIED SCHOOL DISTRICT  
MEMORANDUM

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4. The complainant will submit a written complaint to:

Sue Spears, Director/Compliance Officer  
Los Angeles Unified School District  
Educational Equity Compliance Office  
333 South Beaudry Avenue - 20<sup>th</sup> Floor  
Los Angeles, California 90017  
Telephone: (213) 241-7682

This individual/office shall be considered the representative of the District for purposes of receiving and coordinating responses to complaints and correspondence related to this policy.

The District ensures the District administrator/designee assigned to investigate complaints is knowledgeable about the laws/programs that he/she is assigned to investigate and is responsible for compliance. In addition, the District administrator/designee responsible for providing a written report should be a person trained in the Uniform Complaint Procedures (UCP) investigative process. As such, this designee must have knowledge of federal and state laws and regulations pertaining to Uniform Complaint Procedures.

5. The District will provide an opportunity for complainants and/or representatives to present relevant information. 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.

**B. Complaint Receipt**

The District administrator/designee shall:

1. Acknowledge receipt of the complaint within five calendar days and will review the complaint to determine whether it meets the criteria for filing under the procedures or falls within the exceptions listed in the General Information section.
2. Inform the complainant of the District policy and appeal procedures in those instances when a complaint may be filed directly with the State Superintendent of Public Instruction or another appropriate state or federal agency.
3. Determine whether the complainant and the District representative will



LOS ANGELES UNIFIED SCHOOL DISTRICT  
MEMORANDUM

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participate in mediation to resolve the complaint prior to formal investigation. If the complainant agrees to the mediation, he/she must be informed that he/she may at any time terminate the mediation process and proceed directly to an investigation. Mediation may not extend the time line for investigation and resolution to the complaint unless the complainant agrees, in writing, to the extension.

4. Determine whether a discrimination complaint has been filed within six months from the date the alleged discrimination occurred or the date the complainant first obtained knowledge of the facts of the alleged discrimination. Confidentiality of complaints alleging discrimination will be observed to the maximum extent possible.
5. Deny the discrimination complaint if it has not been filed in a timely manner, and notify the complainant of his/her right to appeal to the State Superintendent of Public Instruction for an extension of time in which to file the complaint.
6. Refer the complaint for investigation to the appropriate District office/division/branch/unit/local district.
7. Ensure that, within sixty (60) calendar days of the receipt of the written complaint, the complaint has been resolved and/or investigated and that a written report of findings is issued to the complainant. The written report of the investigative findings must contain the allegation(s), method of investigation, policy, findings, conclusion(s), and corrective action(s), if applicable.
8. Obtain an extension of time, if appropriate, in order to conduct the investigation.

C. Complaint Timeline

1. Each complaint shall be resolved and a written report of investigative findings issued within sixty (60) calendar days of the receipt of the written complaint unless the complainant agrees in writing to an extension of time.
2. If the complainant agrees to mediation, mediation may not extend the time line for investigation and resolution to the complaint unless the complainant agrees, in writing, to the extension.

D. Complaint Investigation

Each complaint shall be investigated by the appropriate District office/unit/



LOS ANGELES UNIFIED SCHOOL DISTRICT  
MEMORANDUM

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division/branch/local district office. The District office/unit/division/branch/local district office shall:

1. Adhere to a thirty (30) calendar day timeline to request additional information from the complainant as necessary, conduct the investigation, and prepare the final written report of findings.
2. Provide an opportunity for the complainant and/or the complainant's representative and the District's representative to present information that is relevant to the complaint during the meditative or investigative process. 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.
3. Obtain statements from other individuals who were witnesses to the alleged violation or who can provide relevant information concerning the alleged violation.
4. Review documents that may provide information relevant to the alleged violation. When necessary, request clarification on specific issues of the complaint from other District offices (e.g., Parent Community Services Branch, Specially Funded Programs Branch, Division of Special Education, etc.).
5. Have access to applicable District records and/or other information related to the allegation(s) in the complaint. District units or staff who refuse or otherwise fail to cooperate in the investigation or engage in any other obstruction of the investigation, may cause 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.
6. Prepare a written report (in English and in the language of the complainant) of the investigative findings which contains the disposition and rationale for such disposition to include the following: allegation(s), method of investigation, policy and/or applicable law, findings along with supporting information, conclusion(s), corrective action(s), if any, and suggested remedies, if applicable.
7. Within 30 calendar days of receipt of the complaint, forward a draft of the written report of investigative findings to Educational Equity Compliance Office (EECO) for review and final disposition.





LOS ANGELES UNIFIED SCHOOL DISTRICT  
MEMORANDUM

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E. Complaint Response

1. The EECO administrator/designee will complete and provide the closing letter, along with the written report of investigative findings, to the complainant and to the appropriate administrator/designee.
2. The closing letter provided to the complainant must include the assurance that the District will not tolerate retaliation against the complainant for opposing District actions, reporting, or threatening to report such actions or for the complainant's participation in an investigation of District actions.
3. The closing letter provided to the complainant must also include notice of the complainant's right to appeal the District's decision. Local district decisions regarding programs listed in the General Information section may be appealed within fifteen (15) days to the Educational Equity Compliance Office and/or to the California Department of Education.

VII. APPEALS

A. Appeal to the Los Angeles Unified School District

1. Appeals to local district decisions involving allegations of discrimination/harassment may be appealed in writing within fifteen (15) days to the District's Educational Equity Compliance Office.
2. These appeals may be directed to:

Sue Spears, Director, Educational Equity Compliance Office  
Los Angeles Unified School District  
333 South Beaudry Avenue - 20<sup>th</sup> Floor  
Los Angeles, California 90017  
Telephone: (213) 241-7682

3. The complainant shall specify the reason(s) for appealing the decision and include a copy of the local district decision. The District will provide the investigator with access to records and/or other information related to the allegation in the complaint. A final written letter of findings will be provided to the complainant of the disposition of the appeal and rationale for the disposition.

B. Appeals to the California Department of Education (CDE)

1. Appeals of decisions regarding educational programs listed in this document (found in Section 2 – Uniform Complaint Procedures Process



LOS ANGELES UNIFIED SCHOOL DISTRICT  
MEMORANDUM

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Jurisdiction) may be appealed to the California Department of Education (CDE) - Categorical Programs Complaints Management by filing a signed written appeal within fifteen (15) days after receiving the District's decision. The written appeal should specify the reason(s) for appealing the decision and include a copy of the District's decision. These appeals should be sent to:

Categorical Programs Complaints Management  
California Department of Education  
1430 N Street - Suite 5408  
Sacramento, California 95814

2. Appeals of decisions regarding allegations of alleged discrimination/harassment listed in this document (found in Section II – Uniform Complaint Procedures Process Jurisdiction) may be appealed to the California Department of Education (CDE) – Office of Equal Opportunity by filing a signed written appeal within fifteen (15) days after receiving the District's decision. The written appeal should specify the reason(s) for appealing the decision and include a copy of the District's decision. These appeals should be sent to:

Office of Equal Opportunity  
California Department of Education  
1430 N Street – Suite 6019  
Sacramento, California 95814

3. Appeals of decisions regarding special education compliance may be filed with the California Department of Education (CDE) – Special Education Division by sending a signed written appeal within fifteen (15) days after receiving the District's decision. The written appeal should specify the reason(s) for appealing the decision and include a copy of the District's decision. These appeals should be sent to:

Special Education Division  
Procedural Safeguards and Referral Services (PSRS)  
California Department of Education  
1430 N Street - Suite 2401  
Sacramento, California 95814

4. A person who alleges that he or she is a victim of discrimination may not seek civil remedies until at least sixty (60) days after the filing of an appeal with California Department of Education.
5. The 60-day moratorium imposed by Section 262.3 (d) of the Education Code does not apply to injunctive relief and is applicable only if the



LOS ANGELES UNIFIED SCHOOL DISTRICT  
MEMORANDUM

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District has appropriately, and in a timely manner, apprised the complainant of his or her right to file a complaint. (Extensions for filing such appeals may be granted, in writing, by the California Department of Education for good cause).

VIII. CIVIL REMEDIES

Pursuant to California Education Code (Section 262.3), persons who have filed a complaint should be advised that civil law remedies may be available to them.

**AUTHORITY:** This is the policy of the District Superintendent of Schools. The following legal standard is applied to this policy:

*California Code of Regulations, Title 5, Sections 4600 - 4687*

**ASSISTANCE:** For further information, to ask questions, seek assistance regarding the filing of complaints under the Uniform Complaint Procedures, or have questions regarding appeal procedures, contact:

Educational Equity Compliance Office – (213) 241-7682

- Barbara Perttula, Coordinator, Uniform Complaint Procedures
- Sue Spears, Director/Compliance Officer

**ATTACHMENTS:**

- Attachment A – UCP Complaint Form – English
- Attachment A – UCP Complaint Form - Spanish
- UCP Brochure 2009-2010 - English
- UCP Brochure 2009-2010 - Spanish

Translations of the above documents are also available in the following languages: Armenian, Chinese, Farsi, Korean, and Russian. To obtain the translations (Armenian, Chinese, Farsi, Korean, and Russian) of the UCP Complaint Form and UCP Brochure 2009-2010, please contact the Educational Equity Compliance Office at (213) 241-7682.

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2. Have you discussed your complaint or brought your complaint to any Los Angeles Unified School District personnel? If you have, to whom did you take the complaint, 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 complaint and any relevant documents to:**

Sue Spears, Director  
Educational Equity Compliance Office  
Los Angeles Unified School District  
333 South Beaudry Avenue - 20<sup>th</sup> Floor  
Los Angeles, CA 90017

Telephone: (213) 241-7682

# **Distrito Escolar Unificado de Los Angeles** **Formulario del Procedimiento Uniforme de Quejas**

Apellido _____	Nombre/Inicial _____	
Nombre del Estudiante (Si corresponde) _____	Grado _____	Fecha de Nacimiento _____
Dirección/# de Apto. _____		
Ciudad _____	Estado _____	Zona Postal _____
Teléfono (casa) _____	Teléfono Celular _____	Teléfono (trabajo) _____
Escuela/Oficina de Supuesta Violación _____		

  

**Para queja(s) de no conforme, favor de marcar el programa o actividad en referencia a su queja, si aplica:**

<input type="checkbox"/> Educación para Adultos	<input type="checkbox"/> Programas Consolidados de Ayuda Categórica	<input type="checkbox"/> Servicios de Alimentación
<input type="checkbox"/> Educación Profesional y Técnica	<input type="checkbox"/> Educación de Estudiantes Migratorios e Indio Americanos	<input type="checkbox"/> Educación Especial
<input type="checkbox"/> Programas de Desarrollo Infantil		

  

**Para queja(s) de discriminación ilegal/acoso de adulto-a-adulto, estudiante-a-estudiante, o no empleado, favor de marcar la base de la discriminación ilegal/acoso descrita en su queja, si es aplicable :**

<input type="checkbox"/> Edad _____	<input type="checkbox"/> Identificación de Grupo Étnico _____	<input type="checkbox"/> Religión _____
<input type="checkbox"/> Ascendencia _____	<input type="checkbox"/> Género _____	<input type="checkbox"/> Sexo (Actual o percibida) _____
<input type="checkbox"/> Color _____	<input type="checkbox"/> Origen Nacional _____	<input type="checkbox"/> Orientación sexual (Actual o percibida) _____
<input type="checkbox"/> Discapacidad Física o Mental _____	<input type="checkbox"/> Raza _____	<input type="checkbox"/> _____

☐ Basado sobre la asociación con una persona o grupo con una o mas de estas características actuales o percibidas.

  

1. Favor de explicar los hechos acerca de la queja. Favor de proporcionar los detalles como los nombres de las personas involucradas, fechas, si había testigos presentes, etc., que puedan ser útiles para el investigador de quejas.

2. ¿Ha dialogado usted o traído su queja a cualquier personal del Distrito Escolar Unificado de Los Angeles? ¿Si usted lo ha hecho, a quien le llevo la queja y cual fue el resultado?

[illegible]

3. Favor de proporcionar copias de cualquier documento por escrito que puedan ser pertinentes o que apoyen su queja.

He adjuntado documentos de apoyo.

□ Si

☐ No

Firma

Fecha

**Favor de enviar por correo la queja y documentos a:**

Sue Spears, Director  
Educational Equity Compliance Office  
Los Angeles Unified School District  
333 South Beaudry Avenue - 20<sup>th</sup> Floor  
Los Angeles, CA 90017

Teléfono: (213) 241-7682

## How a Complaint is Investigated and Answered

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Each complaint is investigated by the appropriate District office, unit, division, branch, or local district office, which must be concluded within sixty (60) calendar days of the receipt of the written complaint. The investigation and District response include the following:

1. Provide an opportunity for the person or organization complaining and District personnel to present information relevant to the complaint.
2. Obtain specific information from other persons who can provide relevant information concerning the complaint or were witnesses to the alleged violation indicated in the complaint.
3. Review related documents.
4. Prepare written report (in English and in the language of the complaint) of the investigative findings which contains the disposition and rationale for such disposition, including corrective action(s), if any, and suggested remedies, if applicable.
5. Conclude the review within 60 calendar days from the date of receipt of the complaint, unless the complainant agrees in writing to extend the time.
6. Notify the person or organization of appeal procedures.

## How to Appeal

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Persons or organizations disagreeing with the District decision, including local district, central office, or school decision, have fifteen (15) days after receipt of the report of findings (decision) to file an appeal. The appeal must be in writing and include a copy of the original complaint, as well as a copy of the District's decision provided to them.

1. If the original complaint involved one of the educational programs (listed 1-8) inside, the appeal should be sent to:

State of California  
Department of Education  
1430 N Street  
Sacramento, CA 95814

2. If the original complaint involved discrimination under the ADA, Section 504, Title VI, or Title IX, and the decision was provided by a local district, school, or other District office, the appeal may be directed to:

Sue Spears, Director  
Educational Equity Compliance  
Los Angeles Unified School District  
333 South Beaudry Ave. – 20<sup>th</sup> Floor  
Los Angeles, CA 90017

Appeals of local site decisions involving Title VI or Title IX may also be directed to the California Department of Education (see address above) for resolution.

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# Uniform Complaint Procedures

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## 2009-2010



## Educational Equity Compliance Office

## (213) 241-7682

**Effective July 2009**

UCP Brochure English



## Why This Brochure?

The Los Angeles Unified School District has the primary responsibility to ensure compliance with applicable state and federal laws and regulations. The District shall seek to resolve those complaints in accordance with state law, Title 5, California Code of Regulations.

These same complaint procedures may also be used to file complaints against the District which allege unlawful discrimination under the following federal laws: the Americans with Disabilities Act (ADA) or Section 504 (discrimination based on mental or physical disability); age; ancestry; ethnic group identification; religion; Title VI (discrimination based on race, color, or national origin), and Title IX (discrimination based on gender, actual or perceived 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.

Discrimination complaints must be filed within six months from the date the alleged discrimination occurred or the date when knowledge of the facts of the alleged discrimination was first obtained.

**This brochure provides notice by the District that these complaint procedures are available for use under the circumstances described in the brochure.**

## What Programs Are Covered?

These complaint procedures cover the following educational programs:

1. Adult Education
2. Allegation(s) of unlawful adult-to-student, student-to-student, or non-employee discrimination or harassment on the basis of any group protected by law, including actual or perceived age, ancestry, color, disability (mental or physical), ethnic group identification, gender, gender identity, national origin, race, religion, sex, or 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 by the District that is funded directly or receives any state funds.
3. Career and Technical Education
4. Child Care and Development
5. Consolidated Categorical Programs
6. Migrant and Indian Education
7. Nutrition Services
8. Special Education

## How to Submit a Complaint

Any person, organization, or public agency concerned about a violation of state or federal regulations governing an educational program listed in this brochure is to submit a written complaint to:

**Sue Spears, Director**  
**Educational Equity Compliance Office**  
Los Angeles Unified School District  
**333 South Beaudry Avenue - 20<sup>th</sup> Floor**  
Los Angeles, CA 90017

Any person with a disability or who is unable to prepare a written complaint can receive assistance from the site-administrator/designee or by calling the Educational Equity Compliance Office at (213) 241-7682.

The District assures confidentiality to the maximum extent possible. The District prohibits retaliation against anyone who files a complaint or anyone who participates in the complaint investigation process.

Complainants are advised that civil law remedies may also be available to them.

**The sixty (60) day time line for the investigation and District response shall begin when the complaint is received.**

## **Cómo se Investiga y se Responde a una Queja**

Cada queja es investigada por la oficina apropiada del Distrito, unidad, división, rama, u oficina del distrito local, la cual debe ser concluida dentro de sesenta (60) días de calendario del recibo de la queja escrita. La investigación y la respuesta del Distrito incluyen lo siguiente:

1. Brindar una oportunidad para la persona o la organización que haya presentado la queja y al personal del Distrito para presentar información relacionada con la queja.
2. Obtener información específica de otras personas que puedan proveer información referente a la queja o fueron testigos de la violación alegada indicada en la queja.
3. Revisar documentos pertinentes.
4. Preparar un informe escrito (en inglés y en el idioma de la queja) de las conclusiones investigadas que contienen la disposición y el razonamiento para tal disposición, incluyendo acción(es) corregidas, si algunas, y soluciones recomendadas, si aplican.
5. El resumen terminara dentro de los 60 días de calendario desde la fecha de que se recibió la queja, a menos que el demandante por escrito esté de acuerdo en extender el plazo.
6. Notificar a la persona o a la organización los procedimientos de apelación.

## **Cómo Apelar**

Las personas u organizaciones que estén en desacuerdo con la decisión del Distrito, incluyendo distritos locales, oficina central, o la decisión escolar, disponen de quince (15) días, después de haber recibido el reporte de decisión para archivar una apelación. La apelación debe presentarse en escrito e incluir una copia de la queja original, y también una copia de la decisión tomada por el Distrito local proveído a ellos.

1. Si la queja original tenía que ver con uno de los programas educativos (enumerados de 1-8) dentro, la apelación se le debe enviar a:

State of California  
Department of Education  
1430 N Street  
Sacramento, CA 95814

2. Si la queja original involucra discriminación, bajo el ADA, Artículo 504, Título VI, o el Título IX, y la decisión fue proveída por un distrito local, escuela, u otra oficina del Distrito, la apelación puede ser dirigida:

Sue Spears, Director  
Educational Equity Compliance  
Los Angeles Unified School District  
333 South Beaudry Avenue – 20<sup>th</sup> Floor  
Los Angeles, CA 90017

Apelaciones de las decisiones de sitios locales involucrando al Título VI o al Título IX pueden también ser dirigidas al California Departamento de Educación (ver la dirección arriba) para su resolución.

## **Procedimientos Uniformes para Presentar Quejas**

### **2009-2010**



**Oficina de Cumplimiento  
de la Equidad Educativa**

**(213) 241-7682**

**Efectivo Julio 2009**

UCP Brochure - Spanish

## El Porqué De Este Folleto

El Distrito Escolar Unificado de Los Angeles tiene la primera responsabilidad para asegurar acatamiento con las leyes y reglamentos estatales y federales aplicables. El Distrito buscará la manera de resolver estas quejas de acuerdo con la ley estatal, Título 5, Código de Reglamentos de California.

Estos mismos procedimientos de quejas se pueden utilizar para presentar quejas contra el Distrito en las que se afirme que ha habido discriminación ilegal bajo las siguientes leyes federales: la ley Americanos con Discapacidades (ADA) o Artículo 504 (discriminación basada en discapacidades físicas o mentales); edad; abolengo; identificación según el grupo étnico; religión; Título VI (discriminación basada en la raza, color o origen nacional) y el Título IX (discriminación basado en género, actual o sexo percibido, orientación sexual) o sobre la base de asociación de una persona con otra o grupo con una o más de estas características actuales o percibidas.

Quejas de discriminación deben presentarse dentro de seis meses a partir de la fecha en que la discriminación ocurrió o la fecha cuando se supo de la supuesta discriminación por primera vez se obtuvo.

**El Distrito proporciona notificación mediante este folleto que estos procedimientos de quejas están disponibles para su uso bajo las circunstancias descritas.**

## ¿Qué Programas Están Incluidos?

Estos procedimientos para presentar quejas cubren los siguientes programas educativos:

1. Educación para Adultos
2. Quejas de discriminación ilegal o acoso de adulto-a-adulto, estudiante-a-estudiante, o no empleado en base a cualquier grupo protegido por la ley, incluyendo real o percibido por la edad, abolengo, color, discapacidad (mental o física), identificación según el grupo étnico, género, origen nacional, raza, religión, sexo, u orientación sexual, o en base a la asociación de una persona con otra o grupo con una o más de estas características actuales o percibidas en cualquier programa o actividad que reciba o se beneficie de fondos estatales.
3. Educación Vocacional y Técnica
4. Programas del Desarrollo de los Niños
5. Programas Categóricos Consolidados
6. Educación para Estudiantes Migratorios e Indio Americanos
7. Servicios de Nutrición
8. Programas de Educación Especial

## Cómo Se Presenta Una Queja

Toda persona, organización, o entidad pública preocupada por una violación a los reglamentos federales o estatales que rigen alguno de los programas educativos mencionados en este folleto debe presentar una queja por escrito a:

**Sue Spears, Director  
Educational Equity Compliance Office  
Los Angeles Unified School District  
333 South Beaudry Avenue - 20<sup>th</sup> Floor  
Los Angeles, CA 90017**

Toda persona con una discapacidad o que es incapaz de preparar una queja escrita puede recibir asistencia del sitio-administrador/designado o llamando a la oficina Cumplimiento de la Equidad Educativa al (213) 241-7682.

El Distrito garantiza confidencialidad en el mayor grado posible. El Distrito prohíbe las represalias contra todo aquel que presente una queja o participe en el proceso de investigación de dicha queja.

Reclamantes se les notifica que podrán tener a su disposición remedios jurídicos civiles.

**El plazo de sesenta (60) días de calendario para la investigación y la respuesta del Distrito deberá comenzar cuando se reciba la queja.**