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**Direct State Intervention**

A complaint may be filed at any time with the  
California State Department of Education  
1430 N Street, Suite 5408, Sacramento, CA 95814  
For information, call (916) 319-0929 or visit the Web  
site at <http://www.cde.ca.gov/re/cp/uc>

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**DOWNEY UNIFIED SCHOOL DISTRICT**  
**Contacts for Programs Covered Under**  
**Uniform Complaint Procedures**

<b><i>Program:</i></b>	<b><i>Contact the Office of:</i></b>	<b><i>Telephone:</i></b>
Adult Education Career Technical Education	Director, Support Programs	(562) 940-6200
Child Nutrition, School Nutrition	Director, Food Services	(562) 469-6671
Consolidated Categorical Aid: State Programs for English Learner Student (EIA/LEP); Improving America's Schools Act (IASA), Title I and Title VI	Director, Instructional Support Programs	(562) 469-6568
Special Education	Director, Special Education	(562) 469-6581
Gender Equity/Title IX Uniform Complaint Procedure	Senior Director, Certificated Personnel	(562) 469-6541

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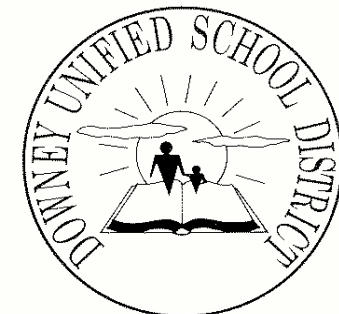
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# **Uniform Complaint Procedures**

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Authorized by  
California Code of  
Regulations,  
Title 5, Sections 4600 –4687



Downey Unified School District

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# Uniform Complaint Procedures

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The Downey Unified School district is primarily responsible for compliance with federal and state laws and regulations. These procedures are intended to provide an orderly process to be used by parents, employees, District and school councils/committees, students, and other interested parties when addressing complaints alleging:

1. Failure to comply with state and/or federal laws in adult education, consolidated categorical aid programs, English Learners, career and technical education, child nutrition programs, special education programs, and federal school safety planning requirements.
2. Unlawful discrimination based on actual or perceived sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, mental or physical disability, 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.

## Procedures for Filing a Complaint

- The complainant shall first attempt to resolve the complaint with the site or program administrator.
- If a resolution cannot be reached, the complainant shall file a complaint following Uniform Complaint Procedures. Copies of the Uniform Complaint Procedures are available from the Office of the Superintendent or local school site free of charge.
- A complaint is a written and signed statement alleging a violation of a federal or state law/regulation or an allegation of unlawful discrimination or harassment.
- The complaint must be filed with the Senior Director of Certificated Personnel, (562) 469-6541.
- If a complainant is unable to put a complaint in writing because of a handicapping condition or language problem, District staff will assist in preparing the complaint.
- All complaints regarding unlawful discrimination

must be filed within six months of the alleged occurrence or six months from the date the complainant first obtained knowledge of the facts of the alleged discrimination.

## Mediation

After receiving the complaint, the Senior Director of Certificated Personnel and/or appropriate program administrator shall informally discuss with the complainant the possibility of using mediation. If agreed to, the Senior Director of Certificated Personnel will initiate mediation.

The use of mediation shall not extend the District's time line for investigation and resolving the complaint unless the complainant agrees in writing to the extension.

If the complainant refuses mediation or the mediation process does not resolve the issue, the Senior Director of Certificated Personnel shall proceed with the investigation of the complaint.

## Investigation of Complaint

The Senior Director of Certificated Personnel shall gather data and hold investigative meetings of sufficient length and depth to complete a written report of the investigation and the findings/decisions.

The complainant and/or representative will be given an opportunity to represent evidence relevant to the complaint during the investigative process.

Refusal or failure by the complainant to cooperate, provide documents or evidence related to the allegation, or engaging in any other obstruction in the investigation, may result in the dismissal of the complaint.

## Written Report/Decision

Within 60 calendar days of receipt of the complaint, unless the complainant agrees in writing to an extension of time, the Senior Director of Certificated Personnel shall investigate and issue a written report to the complainant and the Superintendent with the following components:

1. The report shall be written in English and in the primary language of the complainant as required by EC 48985.

2. Findings of fact based on the evidence gathered.
3. Conclusion of law.
4. Disposition of the complaint.
5. Rationale for such disposition.
6. Corrective Actions (if any).
7. Notice of complainant's right of appeal to the California Department of Education (CDE) within 15 days.
8. In a discrimination complaint, notice of the right to civil law remedies no sooner than 60 days after filing an appeal with the CDE.
9. Procedures to be followed for initiating an appeal to CDE.

## Appeals

The complainant may appeal in writing to the California Department of Education (CDE) within 15 days of receiving the decision. When appealing to the CDE, the complainant must specify the reason for appealing the District's decision and must include a copy of the locally filed complaint and the District decision.

## Civil Law Remedies

Nothing in these procedures or District policy precludes a complainant from pursuing available civil law remedies. Such remedies may include mediation centers, public/private interest attorneys, injunctions, restraining orders, etc. For discrimination complaints, however, a complainant must wait until 60 days have elapsed from the date of filing an appeal with the CDE before pursuing civil law remedies. For Assistance a complainant may contact:

- Legal Aid
- Los Angeles County Public Defender, Bellflower Office — (562) 804-8083
- Los Angeles County Bar Association — (213) 765-1500
- State Bar of California — (213) 765-1000