

## **Community Roots Charter School Board Policy**

### **Uniform Complaint Policy**

---

**Board Action:**

APPROVED

**Effective Date:**

February 11, 2019

---

Community Roots Academy, operated by Community Roots Charter School (the "SCHOOL"), complies with applicable federal and state laws and regulations. SCHOOL is the local agency primarily responsible for compliance with federal and state laws and regulations governing educational programs. Pursuant to this policy, persons responsible for conducting investigations shall be knowledgeable about the laws and programs which they are assigned to investigate. The school shall investigate complaints alleging failure to comply with such laws and/or alleging discrimination and shall seek to resolve those complaints in accordance with the school's uniform complaint procedures. (5 CCR §4620)

This complaint procedure is adopted to provide a uniform system of complaint processing for the following types of complaints:

- (1) Complaints regarding "pupil fees," including any fee, deposit or other charge that a pupil or a pupil's parent or guardian are required to pay or any "fee waiver";
- (2) Complaints of discrimination against any protected group including actual or perceived, including discrimination on the basis of age, sex, sexual orientation, gender, gender identity, gender expression, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability, 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 Charter School program or activity (5 CCR §4610); and
- (3) Complaints of violations of state or federal law and regulations governing the following programs including but not limited to: special education, Title II, Section 504 of the Rehabilitation Act, consolidated categorical aid, No Child Left Behind, migrant education, career technical and technical education training programs, child care and development programs, child nutrition program. (5 CCR §4610)

SCHOOL acknowledges and respects every individual's rights to privacy. Discrimination complaints shall be investigated in a manner that protects the confidentiality of the parties and the integrity of the process. This includes keeping the identity of the complainant confidential, as appropriate and except to the extent necessary to carry out the investigation or proceedings, as determined by the Executive Director of Education or designee on a case-by-case basis.

SCHOOL prohibits any form of retaliation against any complainant in the complaint process, including but not limited to a complainant's 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 the complainant.

The Charter Governing Board encourages the early, informal resolution of complaints whenever possible. The goal of the Uniform Complaint Procedure is to ensure the implementation of a single procedure for all relevant programs and to ensure that all schools conduct high quality programs that are effectively managed and operated within legal parameters.

### Compliance Officers

The Board of Directors designates the following compliance officer(s) to receive and investigate complaints and to ensure the Charter School's compliance with law:

Executive Director of Resource Development, Eve Fein  
Community Roots School  
29292 Crown Valley Pkwy  
Laguna Niguel, CA 92677  
Phone: (949) 831-4272

The Executive Director of Education or designee shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. Designated employees may have access to legal counsel as determined by the Executive Director of Education or designee.

### Civil Law Remedies

In addition to the appeal process, complainants have a right to pursue available civil law remedies. These remedies may include: restraining orders, injunctions, private and/or public interest attorney, etc. There are also numerous free and low cost legal assistance agencies available locally, such as Mediation Solutions, American Civil Liberties Union, the California Fair Employment and Housing Department, California Indian Legal Services, Victim- Offender Reconciliation Program, Legal Aid Society of San Diego, Inc., Family Services Association, etc.

### Notifications

The Executive Director of Education or designee shall annually provide written notification of the Charter School's uniform complaint procedures to students, employees, parents/guardians, the Board of Directors, appropriate private officials or representatives, and other interested parties.

The Executive Director of Education or designee shall make available copies of the Charter School's uniform complaint procedures free of charge.

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints.
2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal discrimination laws, if applicable.
3. Advise the complainant of the appeal process pursuant to Education Code 262.3, including the complainant's right to take the complaint directly to the California Department of Education (CDE) or to pursue remedies before civil courts or other public agencies.
4. Include statements that:
  - a. The Charter School is primarily responsible for compliance with state and federal laws and regulations;
  - b. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline;
  - c. An unlawful discrimination complaint must be filed not later than six months from the date the alleged discrimination occurs, or six months from the date the complainant first obtains knowledge of the facts of the alleged discrimination;
  - d. The complainant has a right to appeal the Charter School's decision to the CDE by filing a written appeal within 15 days of receiving the Charter School's decision; and
  - e. The appeal to the CDE must include a copy of the complaint filed with the Charter School and a copy of the Charter School's decision.