

SAN MATEO COUNTY SUPERINTENDENT OF SCHOOLS

Administrative Regulation – AR 1312

**[Note: This AR Supersedes and Replaces AR 1312.1;
AR 4508; AR 4509; 4530.1, 4530.2 and 4550.5]**

COMPLAINT PROCEDURES HANDBOOK

**TO ASSIST STUDENTS, PARENTS, STAFF
AND THE PUBLIC IN UNDERSTANDING AND USING
COMPLAINT PROCEDURES**



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San Mateo County Superintendent of Schools
Revised August 17, 2011

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Complaint Procedures Handbook

COMPLAINT PROCEDURES HANDBOOK

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I. Introduction

The San Mateo County Superintendent of Schools (Superintendent) has adopted this Handbook to implement federal and state law fully and fairly, and to provide students, parents, staff and the public with a thorough description of the procedures by which Superintendent, through designated employees, will address complaints.

This Handbook contains the official procedures adopted by the Superintendent, and shall apply to the San Mateo County Board of Education as well as to the Superintendent, the Superintendent's employees, and the programs of the County Office of Education (Office).

II. Definitions

1. "Complaint" means a written statement alleging a violation of federal or state laws or regulations, non-compliance with official guidelines, or other inappropriate action or circumstance on the part of, or under the authority of the Superintendent. If the complainant is unable to put the complaint in writing due to conditions such as a disability or illiteracy, staff shall assist the complainant in filing the complaint. Verbal allegations, grievances, and suggestions do not fall under this definition of "complaint" and are not subject to these complaint procedures.
2. "Formal Complaint" means a signed complaint alleging a violation of federal or state laws or regulations, to which the complainant requests a response.
3. "Complainant" means any individual, including a person's duly authorized representative or an interested third party, who files a written complaint with the Superintendent or designee.
4. "Complaint Investigation" means an administrative process used by the Superintendent or designee for the purpose of gathering data regarding a complaint.
5. "Complaint Procedure" means the internal process used by the Superintendent and staff to process and resolve complaints.

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III. Board Policy

A. BP 1312 – Complaint Procedures

1. Scope - Complaint procedures shall address allegations of violations, non-compliance or other inappropriate action or circumstance in areas of employee behavior, instructional materials, *Williams* and *Valenzuela* complaints, child abuse, special education, unlawful discrimination and/or harassment and any other areas where such allegations may be received.

2. Resolution of Complaints - Upon receipt of a complaint, the Superintendent or designee shall implement the appropriate complaint procedures. The Board encourages early, informal resolution of complaints when appropriate. However, all complaints, including those quickly resolved, shall be monitored and reported appropriately.

3. Retaliation - There shall be no retaliation in any form for the filing of a complaint, the reporting of instances of discrimination or other violations, or for participation in complaint procedures.

4. Privacy - Complaints shall be investigated, resolved and reported in a manner that protects, to the greatest extent possible, the privacy rights of all parties.

5. Implementation - The Superintendent shall ensure that employees designated to receive and investigate complaints are knowledgeable about the laws and programs for which they are responsible. Such employees shall have access to consultation with legal counsel to the extent determined necessary and appropriate by the Superintendent or designee.

6. Dissemination of Information - The Superintendent or designee shall ensure full, appropriate dissemination of complaint policies and procedures. The Superintendent or designee shall ensure that complainants are informed of complaint procedures and of any rights of appeal or civil law remedies that may pertain.

7. Uniform Complaint Procedures – Complaints that allege unlawful harassment, discrimination, or other violation of state or federal law shall be addressed through uniform complaint procedures, which shall include the following provisions:

a. The Superintendent has primary responsibility for compliance with state and federal laws and regulations.

b. The Superintendent shall investigate complaints alleging failure to comply with applicable state and federal laws and regulations and/or alleging discrimination, and 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 of the governing board.

c. Programs and activities implemented by the Superintendent that are subject to these Uniform Complaint Procedures include Administrative Services, including the Office of the Superintendent and the Human Resources Department; Fiscal and Operational Services; Instructional Services; Student Services; and all activities of the County Board

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of Education, of the County Superintendent of Schools, and of the County Office of Education.

d. These uniform complaint procedures are established to protect civil rights including protections against unlawful discrimination regarding 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.

e. Complainants are protected from retaliation and the identity of a complainant alleging discrimination will remain confidential as appropriate.

f. The Civil Rights Compliance Officer shall be responsible for receiving uniform complaints and ensuring that uniform complaint procedures are followed.

g. The Civil Rights Compliance Officer and those others assigned to any investigation of allegations shall be knowledgeable about the laws/programs that he/she is assigned to investigate.

h. Complainants have the right to pursue civil law remedies under state or federal discrimination laws.

i. The Superintendent shall annually disseminate these uniform complaint procedures to students, employees, parents or guardians, advisory committees, appropriate private school officials or representatives, and other interested parties.

j. Unlawful discrimination complaints shall be filed no later than six months from the date the alleged discrimination occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged discrimination.

k. The Superintendent shall provide an opportunity for complainants and/or representatives to present evidence or information.

l. Refusal by 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 lack of evidence to support the allegations.

m. Refusal by the Superintendent to provide the investigator with access to records and/or other information related to the allegation in the complaint, or to otherwise fail 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.

n. The complaint will be investigated and a written report issued to the complainant within 60 calendar days from the date of the receipt of the complaint, unless the complainant agrees in writing to an extension of time.

o. The report will contain the findings of fact based on the evidence gathered, conclusions of law, disposition of the complaint, the rationale for such a disposition, corrective actions, if any are warranted, notice of the complainant's right to appeal to the California Department of Education (CDE), and procedures to be followed for initiating an appeal to CDE.

Legal References:

Education Code 33308.1 Guidelines on procedure for filing child abuse complaints

Education Code 56500-56507 IDEA Procedural Safeguards

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*Code of Regulations, Title 5—90-101, 3080, 4600 et seq. Uniform
Complaint Procedures
General Education Provisions Act, 20, U.S.C., 1221 et seq., especially:
Family Education and Privacy Rights Act, 20 U.S.C., 1232g*

Adopted SMCBE 09/16/92; Revised 10/02/02, 04/02/08, 05/06/09
(Replaces BP1312, BP4530.2 and BP5270.1)

B. BP 4555 – Employee Behavior

Employees of the Superintendent shall perform their duties in a professional manner, in an environment free from discrimination, harassment, intimidation, and/or retaliation. No form of workplace discrimination, harassment or intimidation shall be tolerated.

Upon employment, each new employee shall be provided with written materials describing the requirements for employment, including standards of behavior, and shall be required to sign an affirmation that he/she has read and understands the requirements. Throughout employment by the Superintendent, employees shall be provided with periodic training concerning workplace behavior.

Employees shall be informed that discrimination, harassment, intimidation and/or retaliation are prohibited workplace behaviors and will not be tolerated. Employees shall be further informed that such behaviors based upon any protected basis, including age, ancestry, citizenship, color, genetic information or characteristics, marital or parental status, national origin, political affiliation, pregnancy, race, religion, sex or gender, perceived sex or gender, sexual orientation, military or veterans' status, physical or mental disability, or medical condition unrelated to the job may be a violation of federal and/or state law and subject to criminal prosecution.

Harassment based upon any of the protected categories listed above is unlawful. Harassment means any unwelcome verbal, visual, or physical conduct, or unwelcome sexual advances by someone from or in the work or educational setting under any of the following conditions:

- a. Submission of the conduct is explicit or implicitly made a condition of an employee's or student's employment, academic status, or progress.
- b. Submission to or rejection of the conduct by the individual is used as the basis for academic or employment decisions affecting the individual.
- c. The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or learning environment.
- d. Submission to, or rejection of the conduct by the individual is used as the basis for any decision affecting the individual regarding the benefits and services, honors programs, and activities at or through the education institution.

Harassment includes, but is not limited to:

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- **Verbal Harassment**—Offensive or derogatory comments of a personal or sexual nature, epithets, jokes, slurs, or spreading sexual rumors.
- **Visual Harassment**—Display of offensive or sexually suggestive posters, pictures, cards, cartoons, graffiti, drawings, objects, or gestures; suggestive or obscene letters, notes, or invitations.
- **Physical Harassment**—Unwelcome or offensive touching, intentionally blocking normal movement, or assault.
- **Sexual Favors**—Unwelcome sexual flirtations, advances, or propositions as a condition of promotion, continued employment, better grades than earned, opportunities for extra credit, recommendations, or other benefits in return for sexual favors.

Any employee, prospective employee, student, parent, or other member of the public who feels that he/she has been subject to prohibited behavior by an employee of the Superintendent shall follow the complaint procedures established by the Superintendent. There shall be no retaliation against any person for using these complaint procedures.

Legal References:

California Fair Employment and Housing Law (FEHA)
Title VII of the Civil Rights Act of 1964 (amended 1991)
Age Discrimination in Employment Act (ADEA)
Americans with Disabilities Act (ADA)

Adopted SMCBE 06/03/92; Revised 01/05/94, 09/20/06, 05/06/09
(Replaces BP4550.5)

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IV. Complaint Procedures

A. Complaints Against Employees

1. Complainants who have concerns about an employee or employees of the Superintendent are encouraged to attempt to resolve their concerns orally with the staff member(s) personally, before filing a complaint. If the matter cannot be resolved in this manner, the complainant shall file a written complaint, using the form "Complaint Against an Employee or Employees." The Superintendent will consider the complaint dropped if the complainant fails to put it in writing. However, any complaint of child abuse or neglect, whether written or not, shall be reported to the appropriate local agencies in accordance with law. (see section IV.D. below)
2. A written complaint shall be submitted on the complaint form and must include:
 - a. the name of each employee involved;
 - b. a brief but specific summary of the complaint and the facts surrounding it;
 - c. a specific description of any attempts to discuss the complaint with the employee involved and the failure to resolve the matter; and
 - d. the remedy sought.
3. All written complaints regarding employees of the Superintendent shall be initially filed with the site administrator or immediate supervisor, except that if the complaint involves a site administrator or central office administrator, then the written complaint shall be initially filed with the Division Head, and if the written complaint involves the Division Head, it shall be initially filed with the Superintendent. If the complaint involves the Superintendent, it shall be filed with the Compliance Officer (see section IV.F. below).
4. The supervisor or administrator who receives the written complaint shall refer the written complaint, together with an analysis of the situation, to the Human Resources Department. The analysis shall contain, but not be limited to:
 - a. the name of each employee involved;
 - b. a brief but specific summary of the complaint and the facts surrounding it, including the precise nature of the complaint;
 - c. a copy of the signed original complaint; and
 - d. a summary of the action(s) taken in attempting to resolve the complaint.
5. The Human Resources Department shall process all complaints against employees in accordance with applicable law, regulations and collective bargaining agreements. The rights of complainants and of all employees shall be respected at all times. The resolution/disposition of all complaints shall be reported to the Superintendent.

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**Complaint Against an Employee or Employees of the
SAN MATEO COUNTY SUPERINTENDENT OF SCHOOLS**

TO: _____

FROM: Name(s) _____

Address(es) _____

Telephone # _____

Name of person(s) against whom complaint is made: _____

Nature of complaint: (Please describe in your own words the grounds of your complaint, including all names, dates, and places necessary for a complete understanding of your complaint. Include extra sheets if necessary.)

Has the complaint been discussed with the employee named in this complaint, in attempt to resolve the matter? _____

To whom have you spoken? Name(s) _____

When? Date(s) _____

What was the result of the discussion? _____

Were there any witnesses to the circumstances giving rise to the complaint? If so, please list name(s) and contact information.

What remedy do you suggest be taken regarding your complaint?

Is there anything else about your complaint you would like to report?

I (we) understand that additional information about this complaint may be requested, and if such information is available, I (we) shall present it upon request. I (we) also understand that a copy of this complaint may be given to the person(s) against whom this complaint is being made, that he/she (they) may be given the opportunity to respond in writing to this complaint and that I (we) may or may not receive a copy of such response or of any other materials generated as a result of this complaint.

I (we) certify under penalty of perjury that the forgoing is true and correct.

Signature(s): _____ Date: _____

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B. Complaints About Instructional Materials

1. Individuals wishing to file a complaint concerning the content or use of instructional materials, including textbooks, supplementary instructional materials, library materials, or other instructional materials and equipment, shall follow the procedures described below. (Complaints related to sufficiency of textbooks or instructional materials shall follow procedures in Section IV.C., Complaints About the *Williams* and *Valenzuela* complaints.)

2. Complainant shall discuss the material in question with the site administrator. If the complainant is not satisfied with the site administrator's response, he/she shall present a written complaint to the site administrator. Complaints regarding printed material shall name the author, title, and publisher and shall identify the objection by page and item numbers. In the case of non-printed material, written information specifying the precise nature of the objection shall be given. Complainants shall sign all complaints and provide identifying information: anonymous complaints will not be accepted.

3. Upon receiving a written complaint, the site administrator shall acknowledge its receipt and answer any questions regarding procedure. The site administrator then shall notify the Division Head and the teacher(s) involved of the complaint. The Division Head shall notify the County Superintendent or designee of the complaint.

4. During the investigation of the complaint, the challenged material may remain in use until a final decision has been reached. However, upon request of a parent/guardian who has filed the complaint, his/her child may be excused from using challenged materials until a resolution has been reached. The teacher shall assign the student an alternate material of equal merit.

5. The Superintendent or designee shall determine whether a review committee should be convened to review the complaint. If the Superintendent or designee determines that a review committee is not necessary, he/she shall issue a decision regarding the complaint.

6. If the Superintendent or designee determines that a review committee is necessary, he/she shall appoint a committee composed of administrators and staff members selected from relevant instructional and administrative areas. The Superintendent or designee may also appoint community members to serve on the committee. When deliberating upon challenged materials, the Superintendent and/or review committee shall consider the educational standards and objectives addressed by the material, the professional opinions of teachers of the subject and of other competent authorities, reviews of the materials by reputable bodies, the teacher's stated objectives in using the materials, relevant community standards, and the objections of the complainant, and shall determine the extent to which the challenged material supports the curriculum, the educational appropriateness of the material, and its suitability for the age level of the student.

7. Within 30 days of being convened, the review committee shall summarize its findings in a written report to the Superintendent or designee. Upon receipt of the committee's findings, the Superintendent shall make a decision concerning the complaint. The Superintendent or designee shall notify the complainant of the decision within 15 days of receiving the committee's report.

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Complaint About Instructional Materials

Use this form to file a complaint concerning the content or use of instructional materials, including textbooks, supplementary instructional materials, library materials, or other instructional materials and equipment. [Use the Uniform Complaint Procedure Form to file a complaint concerning sufficiency of textbooks or instructional materials. See Section IV.D below.]

TO: _____

FROM: Name(s) _____

Address(es) _____

Telephone # _____

Check all that apply: Staff member ___

Parent/Guardian ___

Resident of San Mateo County ___

Describe in your own words your specific concern. For printed material, include the name the author, title, and publisher and identify your objection(s) by page and item numbers. In the case of non-printed material, specify the precise nature of your objection. [Use additional sheets if necessary.]

Have you discussed your concerns informally with the teacher and/or site administrator? If so, please provide the names of the people with whom you have spoken, the dates when the discussions occurred, and a brief summary of the response or outcome.

Name: _____ Date: _____

Name: _____ Date: _____

Brief summary:

I (we) also understand that a copy of this complaint may be given to staff and/or others to assist in the investigation and resolution of the complaint.

Signature(s): _____ Date: _____

_____ Date: _____

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C. Complaints Related to the *Williams* and *Valenzuela* Court Settlements

1. *Williams* complaint procedures are to be used for complaints involving (a) sufficiency and access to textbooks and instructional materials, (b) facility conditions, (c) teacher vacancies or misassignments, and (d) the opportunity to receive post-grade-12 instruction to pass the high school exit exam. A complete description of these complaint categories is contained on the *Williams* Complaint Procedure Form below. The complaint need not be filed on the *Williams* Complaint Procedure Form. Complaints may be filed anonymously.
2. A complaint alleging any condition(s) specified above shall be filed with the Deputy Superintendent. The complainant shall be provided by staff with a copy of the complaint form below to be used for this purpose.
3. If the complainant has requested a response to his/her complaint, the Deputy Superintendent or designee shall report the resolution of the complaint to him/her within 45 working days of the initial filing of the complaint. If a response is requested, the response shall be made to the mailing address of the complainant indicated on the complaint, and shall be written in English and in the language of the complaint (if different).
4. If a complainant is not satisfied with the resolution of the complaint, he/she may submit the complaint to the Superintendent, with an explanation of the reason or reasons the resolution is not satisfactory.
5. For complaints concerning a facility condition that poses an emergency or urgent threat to the health or safety of students or staff, a complainant who is not satisfied with the resolution proffered by the Deputy Superintendent may file an appeal to the Superintendent of Public Instruction within 15 days of receiving the Deputy Superintendent's response.
6. Complaints and written responses shall be public records.
7. The Superintendent shall quarterly report to the Board summarized data on the nature and resolution of all complaints received by the Office.
8. The Superintendent or designee shall ensure that notice of *Williams* Complaint Procedures is posted in every classroom as required by law.

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Williams Complaint Procedure Form
(For Education Code Sections 35186 and 37254 Complaints)

Education Code (EC) Section 35186 created a procedure for the filing of complaints concerning deficiencies related to instructional materials, conditions of facilities that are not maintained in a clean or safe manner or in good repair, and teacher vacancy or misassignment. The complaint and response are public documents as provided by statute. Complaints may be filed anonymously. However, if you wish to receive a response to your complaint, you must provide the following contact information.

Response requested: Yes No

Name (Optional): _____ Mailing Address (Optional): _____

Phone Number: Day (Optional): _____ Evening (Optional): _____

Issue of complaint (please check all that apply):

1. Textbooks and Instructional Materials

- A pupil, including an English learner, does not have standards-aligned textbooks or instructional materials or state-adopted or district-adopted textbooks or other required instructional materials to use in class.
- A pupil does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each pupil.
- Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
- A pupil was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.

2. Facility Conditions

- A condition poses an urgent or emergency threat to the health or safety of students or staff, including: gas leaks, nonfunctioning heating, ventilation, fire sprinklers or air-conditioning systems, electrical power failure, major sewer line stoppage, major pest or vermin infestation, broken windows or exterior doors or gates that will not lock and that pose a security risk, abatement of hazardous materials previously undiscovered that pose an immediate threat to pupils or staff, structural damage creating a hazardous or uninhabitable condition, and any other emergency conditions the school district determines appropriate.
- A school restroom has not been maintained or cleaned regularly, is not fully operational, or has not been stocked at all times with toilet paper, soap, and paper towels or functional hand dryers.
- The school has not kept all restrooms open during school hours when pupils are not in classes, and has not kept a sufficient number of restrooms open during school hours when pupils are in classes.

3. Teacher Vacancy or Misassignment

- Teacher vacancy - A semester begins and a teacher vacancy exists. (A teacher vacancy is a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.)
- Teacher misassignment - A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learner pupils in the class.
- Teacher misassignment - A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

4. High School Exit Examination (For school districts who receive intensive instruction funds)

- Pupils who have not passed the high school exit exam by the end of 12th grade were not provided the opportunity to receive intensive instruction and services pursuant to Education Code Sections 37254 (d) (4) and (5) after the completion of grade 12.

Date of Problem: _____

Location of Problem (School Name, Address, and Room Number or Location): _____

Course or Grade Level and Teacher Name: _____

Please describe the issue of your complaint in detail. You may attach additional pages if necessary to fully describe the situation. _____

Please file this complaint with the **Deputy Superintendent, San Mateo County Office of Education**

REVISED 05/09

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D. Complaints About Child Abuse

1. Definition - Child abuse or neglect includes a physical injury inflicted by other than accidental means on a child by another person, sexual abuse of a child, neglect, willful harming or injuring of a child or the endangering of the person or health of a child, and unlawful corporal punishment or injury of a child. A full definition is found in California Penal Code Section 11165 *et seq.*

2. Reporting Responsibility - All employees of the Superintendent are mandated by law to report reasonable suspicion, allegations or complaints of child abuse or neglect. The duty to report is individual and cannot be delegated to another person. When two or more employees jointly have knowledge of a known or suspected instance of child abuse or neglect, and when there is agreement among them, the report may be made by a member of the team selected by mutual agreement and a single report may be made and signed by the selected member of the reporting team. Any member who has knowledge that the member designated to report has failed to do so shall thereafter make the report.

3. Reporting Emotional Damage - In addition to mandated reporting, any employee of the Superintendent who has knowledge of or who reasonably suspects that a child is suffering serious emotional damage or is at a substantial risk of suffering serious emotional damage based on evidence of severe anxiety, depression, withdrawal, or untoward aggressive behavior toward self or others, may make a report to the appropriate agency.

4. Initial Telephone Report - Immediately or as soon as practicably possible after knowing or observing suspected child abuse or neglect, the employee shall make a report by telephone to the local police department or the county sheriff's department. (Under certain circumstances, the county probation department or the county welfare department may be contacted. However, Office employees should contact the police or sheriff's department unless other arrangements were previously made.) When the telephone report is made, the employee shall note the name of the official contacted, the date and time contacted, and any instructions or advice received.

5. Written Report - Within 36 hours of receiving the information concerning the incident, the employee shall prepare and send to the appropriate agency a written report which includes a completed Suspected Child Abuse Report form. (available at http://ag.ca.gov/childabuse/pdf.ss_8572.pdf) The employee shall make a written report even if some of the information required on the form is not known or is uncertain to him/her.

6. Internal Reporting - Employees reporting child abuse or neglect to the appropriate agency are encouraged, but not required, to notify their site administrator or designee as soon as possible after the initial telephone report to the appropriate agency. When so notified, the site administrator shall inform the Superintendent or designee. At the employee's request, the site administrator may assist in completing and filing the necessary forms. However, the employee shall not be required to disclose his/her identity to the site administrator or any other employee of

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the Superintendent. The employee may provide or mail a copy of the written report to the site administrator, the Superintendent or designee with or without his/her signature or name.

Reporting the information to an employer, supervisor, school principal, school counselor, co-worker, or other person shall not be a substitute for making a mandated report to the appropriate agency.

7. Employee Notification and Training - The Superintendent or designee shall provide all new employees a statement that informs them of their reporting obligations and of their confidentiality rights. Before beginning employment, employees shall sign a statement indicating that they have knowledge of their reporting obligations and that they will comply with those obligations. The signed statements shall be retained by the Superintendent or designee.

Training of Office employees shall include child abuse identification and reporting. All employees receiving such training shall receive written notice of state reporting requirements and employees' confidentiality rights.

8. Investigating Agencies - Information relevant to the incident of child abuse or neglect may also be given to an investigator from an agency that is investigating the case. Whenever a representative of an agency investigating suspected child abuse or neglect deems it necessary, a suspected victim may be interviewed during school hours, on school premises, concerning a report of suspected child abuse or neglect that occurred within the child's home or out-of-home care facility. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. A staff member or volunteer aide selected by a child may decline to be present at the interview. If the selected person accepts, the site administrator or designee shall inform him/her of the requirements of California Penal Code Section 11165 *et seq.* If a staff member agrees to be present, the interview shall be held at a time during school hours when it does not involve an expense to the school.

9. Release of Child to Peace Officer - When a child is released to a peace officer and taken into custody as a victim of suspected child abuse or neglect, the Superintendent or designee and/or site administrator shall **not** notify the parent/guardian, but rather shall provide the peace officer with the address and telephone number of the child's parent/guardian: it is the responsibility of the peace officer or agent to notify the parent/guardian of the situation. The Superintendent shall establish procedures for the appropriate release of students to peace officers.

10. Parent/Guardian Complaints – The Superintendent or designee shall make available to parents/guardians these procedures for reporting suspected child abuse or neglect. For parents/guardians whose primary language is other than English, such procedures shall be in the primary language of the parent/guardian and, when communicating orally regarding those procedures, an interpreter shall be provided.

To file a complaint against an employee of the Superintendent or other person suspected of child abuse or neglect at a school site, parents/guardians may file a report by telephone, in person or in writing with any appropriate agency. If a parent/guardian makes a complaint to any employee of

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the Superintendent, that employee shall notify the parent/guardian of procedures for filing a complaint with the appropriate agency, and the employee also is obligated to file a report himself/herself using the procedures described above.

In addition, if the child is enrolled in special education, a separate complaint may be filed as described in Section IV.E below.

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Print **SUSPECTED CHILD ABUSE REPORT** **Reset Form**

To Be Completed by **Mandated Child Abuse Reporters**
Pursuant to Penal Code Section 11166

CASE NAME: _____
CASE NUMBER: _____

PLEASE PRINT OR TYPE

A.	REPORTING PARTY	NAME OF MANDATED REPORTER		TITLE		MANDATED REPORTER CATEGORY			
		REPORTER'S BUSINESS/AGENCY NAME AND ADDRESS				Street	City	Zip	
		REPORTER'S TELEPHONE (DAYTIME)		SIGNATURE		DID MANDATED REPORTER WITNESS THE INCIDENT? <input type="checkbox"/> YES <input type="checkbox"/> NO			
						TODAY'S DATE			
B.	REPORT NOTIFICATION	<input type="checkbox"/> LAW ENFORCEMENT <input type="checkbox"/> COUNTY PROBATION		AGENCY					
		<input type="checkbox"/> COUNTY WELFARE / CPS (Child Protective Services)							
		ADDRESS				Street	City	Zip	
		OFFICIAL CONTACTED - TITLE		TELEPHONE		DATE/TIME OF PHONE CALL			
C.	VICTIM <small>One report per victim</small>	NAME (LAST, FIRST, MIDDLE)				BIRTHDATE OR APPROX. AGE	SEX	ETHNICITY	
		ADDRESS				Street	City	Zip	
		PRESENT LOCATION OF VICTIM				SCHOOL	CLASS	GRADE	
		<input type="checkbox"/> PHYSICALLY DISABLED? <input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> DEVELOPMENTALLY DISABLED? <input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> OTHER DISABILITY (SPECIFY)		PRIMARY LANGUAGE SPOKEN IN HOME			
		<input type="checkbox"/> IN FOSTER CARE? <input type="checkbox"/> YES <input type="checkbox"/> NO	IF VICTIM WAS IN OUT-OF-HOME CARE AT TIME OF INCIDENT, CHECK TYPE OF CARE:				TYPE OF ABUSE (CHECK ONE OR MORE)		
		<input type="checkbox"/> DAY CARE <input type="checkbox"/> CHILD CARE CENTER <input type="checkbox"/> FOSTER FAMILY HOME <input type="checkbox"/> FAMILY FRIEND		<input type="checkbox"/> GROUP HOME OR INSTITUTION <input type="checkbox"/> RELATIVE'S HOME		<input type="checkbox"/> PHYSICAL <input type="checkbox"/> MENTAL <input type="checkbox"/> SEXUAL <input type="checkbox"/> NEGLECT			
						<input type="checkbox"/> OTHER (SPECIFY)			
RELATIONSHIP TO SUSPECT				PHOTOS TAKEN? <input type="checkbox"/> YES <input type="checkbox"/> NO	DID THE INCIDENT RESULT IN THIS VICTIM'S DEATH? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK				
D.	INVOLVED PARTIES <small>VICTIMS SIBLINGS PARENTS/GUARDIANS SUSPECT</small>	1. NAME		BIRTHDATE	SEX	ETHNICITY	NAME		
		2. _____		BIRTHDATE	SEX	ETHNICITY	NAME	3. _____	
		4. _____		BIRTHDATE	SEX	ETHNICITY	NAME	5. _____	
		NAME (LAST, FIRST, MIDDLE)				BIRTHDATE OR APPROX. AGE	SEX	ETHNICITY	
		ADDRESS		Street	City	Zip	HOME PHONE	BUSINESS PHONE	
		NAME (LAST, FIRST, MIDDLE)				BIRTHDATE OR APPROX. AGE	SEX	ETHNICITY	
		ADDRESS		Street	City	Zip	HOME PHONE	BUSINESS PHONE	
		SUSPECT'S NAME (LAST, FIRST, MIDDLE)				BIRTHDATE OR APPROX. AGE	SEX	ETHNICITY	
ADDRESS		Street	City	Zip	TELEPHONE				
		OTHER RELEVANT INFORMATION							
E.	INCIDENT INFORMATION	IF NECESSARY, ATTACH EXTRA SHEET(S) OR OTHER FORM(S) AND CHECK THIS BOX <input type="checkbox"/> IF MULTIPLE VICTIMS, INDICATE NUMBER:							
		DATE / TIME OF INCIDENT			PLACE OF INCIDENT				
		NARRATIVE DESCRIPTION (What victim(s) said/what the mandated reporter observed/what person accompanying the victim(s) said/similar or past incidents involving the victim(s) or suspect)							

SS 8572 (Rev. 12/02)

DEFINITIONS AND INSTRUCTIONS ON REVERSE

DO NOT submit a copy of this form to the Department of Justice (DOJ). The investigating agency is required under Penal Code Section 11169 to submit to DOJ a Child Abuse Investigation Report Form SS 8583 if (1) an active investigation was conducted and (2) the incident was determined not to be unfounded.

WHITE COPY-Police or Sheriff's Department; BLUE COPY-County Welfare or Probation Department; GREEN COPY-District Attorney's Office; YELLOW COPY-Reporting Party

San Mateo County Superintendent of Schools Complaint Procedures Handbook

CHILD ABUSE SUMMARY REPORT DEPARTMENT OF JUSTICE (DOJ) FORM SS 8583 Guidelines for Use and Completion of Form SS 8583

(For Specific Requirements Refer to the Child Abuse Reporting Law, California Penal Code Sections 11165 through 11174.3)

For immediate information on potential suspects/victims, please contact the Child Abuse Unit at (916) 227-3285.

Who Must Report

Interagency Reporting

Any police or sheriff's department, county welfare department, or county probation department (if designated by the county to receive mandated reports) must report every suspected incident of child abuse it receives to:

- the law enforcement agency having jurisdiction over the case
- the agency responsible for investigations under Welfare and Institutions Code Section 900
- the district attorney's office

DOJ Reporting

• An agency must report every incident of suspected child abuse for which it conducts an active investigation and determines not to be unfounded to DOJ on the Form SS 8583.

NOTE: Reports are not accepted from non-California agencies.

What Incidents Must Not Be Reported

Interagency Reporting

• Incidents specifically exempted under cooperative arrangements with other agencies in your jurisdiction.

DOJ Reporting

- Unfounded reports - Reports which are determined to be false, to be inherently improbable, to involve an accidental injury, or not to constitute child abuse or neglect as defined in Section 11165.6 PC (Section 11165.12 PC).
- Acts of nonexploitive, consensual sexual behavior between minors under the age of 14 years who are of similar age.
- Acts of negligence by a pregnant woman or other person(s) who adversely affect the well-being of a fetus.
- Child stealing as defined in Sections 277 PC and 278 PC, unless it involves sexual abuse, physical abuse, mental/emotional abuse, and/or severe neglect.
- Reasonable and necessary force by school employees to quell a disturbance threatening physical injury to person or damage to property (Section 11165.4 PC).
- Statutory rape, as defined in Section 261.5 PC, except violations of Section 261.5(d) PC.
- Mutual fights between minors (Section 11165.6 PC).

What Incidents Must Be Reported

• Abuse of a minor child, i.e., a person under the age of 18 years, involving any one of the below abuse types:

Interagency Reporting

- sexual abuse
- physical abuse
- general neglect
- mental/emotional abuse
- severe neglect

(Refer to Section 11165.1 through 11165.8 PC for PC citations and definitions)

DOJ Reporting

- All of the above, excluding general neglect.
- Deaths of minors resulting from abuse or neglect.

When Must the Report Be Submitted

Interagency Reporting

- Telephone notification - immediately or as soon as practical.
- Written notification - within 36 hours of receiving information concerning the incident.

• When an agency takes a report for which it lacks jurisdiction the agency shall immediately refer the case by telephone, fax, or electronic transmission to an agency with proper jurisdiction.

DOJ Reporting

- A Form SS 8583 must be submitted after an active investigation has been conducted and the incident has been determined not to be unfounded. DOJ defines "active investigation" as: the activities of an agency in response to a report of known or suspected child abuse. For purposes of reporting information to the Child Abuse Central Index, the activities shall include, at a minimum: assessing the nature and seriousness of the suspected abuse; conducting interviews of the victim(s) and any known suspect(s) and witness(es); gathering and preserving evidence; determining whether the incident is substantiated, inconclusive or unfounded; and preparing a report that will be retained in the files of the investigating agency.

NOTE: No other form will be accepted in lieu of the Form SS 8583.

The suspect(s) must be notified in writing that he/she has been reported to the Child Abuse Central Index per PC Section 11169(b).

What Information is Required

General Instructions

- All information blocks contained on the Form SS 8583 should be completed by the investigating agency. If information is not available, indicate "UNK" in the applicable information block.

Specific Instructions

INFORMATION BLOCKS ON THE FORM SS 8583 WHICH ARE SHADED GRAY MUST BE COMPLETED. **THE SUBMITTED FORM WILL BE RETURNED TO THE CONTRIBUTOR WITHOUT FURTHER DEPARTMENT OF JUSTICE ACTION IF THE CONTRIBUTOR FAILS TO COMPLETE ANY OF THE FOLLOWING ITEMS:** the agency name and type; the agency's report number or case name; the action taken by the investigating agency; the specific type of abuse; the victim's name, birthdate or approximate age, and gender; and the suspect's name and birthdate or approximate age, and gender. If the suspect is not known, UNKNOWN must be entered. Verification must be provided that an active investigation was conducted, that victim(s), and any known suspect(s), and witness(es) were contacted. An explanation must be provided if these contacts were not made. Verification must be provided that the suspect was given written notification that he/she has been reported to the Child Abuse Central Index per Section 11169(b) PC. An explanation must be provided if there was no notification.

Section A, "INVESTIGATING AGENCY," Information block 10, "ACTION TAKEN" or 10A, "SUPPLEMENTAL INFORMATION" must be completed in accordance with the following definitions (Check one of the boxes):

<p>10. ACTION TAKEN (check only one box):</p> <p><input type="checkbox"/> (1) SUBSTANTIATED (Abuse more likely than not to have occurred)</p> <p><input type="checkbox"/> (2) INCONCLUSIVE (Insufficient evidence of abuse, not unfounded)</p>	<p>10A. SUPPLEMENTAL INFORMATION (Attach copy of original report)</p> <p><input type="checkbox"/> (a) INCONCLUSIVE <input type="checkbox"/> (c) ADDITIONAL INFORMATION</p> <p><input type="checkbox"/> (b) UNFOUNDED (false report, accidental, improbable)</p>
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10. ACTION TAKEN

- ① SUBSTANTIATED - Abuse, as defined in Section 11165.6 PC, determined to have more likely than not occurred.
- ② INCONCLUSIVE - Report determined not to be unfounded, but there is insufficient evidence to determine whether child abuse or neglect, as defined in Section 11165.6 PC, occurred.

10A. SUPPLEMENTAL INFORMATION - Only use this section to update information previously submitted on Form SS 8583.

- ③ INCONCLUSIVE - A previously submitted Form SS 8583 indicated as "SUBSTANTIATED" is being reclassified to "INCONCLUSIVE".
- ④ UNFOUNDED - A previously submitted Form SS 8583 indicated as "SUBSTANTIATED," "UNSUBSTANTIATED," or "INCONCLUSIVE" is being reclassified to "UNFOUNDED."

⑤ ADDITIONAL INFORMATION - Supplementary information is being provided for a previously submitted Form SS 8583.

Where To Send The Report, Form SS 8583 (For DOJ reporting only)

Department of Justice
Bureau of Criminal Information and Analysis
P. O. Box 903387
Sacramento, CA 94203-3870
ATTENTION: Child Abuse Unit

SS 8583 (Rev. 05/03)

REMEMBER

Submit completed Form SS 8583 to DOJ as soon as possible after completion of the investigation because the case information may contribute to the success of another investigation. It is essential that the report be complete, accurate and timely to provide the maximum benefit in protecting children and identifying and prosecuting suspects. If you have questions about DOJ REPORTING or need a victim or suspect name check, call the DOJ Child Abuse Unit at (916) 227-3285 or CALNET 498-3285.

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E. Complaints About Special Education

1. All complaints involving Special Education programs operated by the Superintendent shall be resolved by following the procedures set forth by the San Mateo County Special Education Local Plan Area (SELPA), and in accordance with the Individuals with Disabilities Education Act, as amended ("IDEA"), and all applicable federal and state laws and regulations. Any parent or guardian who has a complaint may contact the SELPA Administrator for assistance. Disputes may be resolved through several avenues, including informally, through the Senior Administrator for Special Education Services and/or the SELPA Administrator. Disputes also may be handled through the California Department of Education complaint procedures. Finally, disputes may be resolved through the Due Process hearing procedures established by the IDEA and under state law. These various options are described below.

2. Parents or guardians are encouraged to bring any complaints and disputes concerning the Superintendent's Special Education programs to the prompt attention of the San Mateo County Office of Education Senior Administrator for Special Education Services and/or the SELPA Administrator. Upon being notified of a complaint or dispute, staff will investigate the matter and meet with the parent or guardian, in person and/or by telephone, and work to resolve the matter in a mutually acceptable way.

3. State Complaint Procedures - Parents or guardians of students in special education programs may file a state compliance complaint when they believe that the Office has violated federal or state special education laws or regulations. Compliance complaints may be filed with:

- California Department of Education
- Special Education Division
- Procedural Safeguards Referral Service
- 1430 N Street, Suite 2401
- Sacramento, CA 95814

The complaint must be in writing and must specify at least one alleged violation of federal or state special education laws. The violation must have occurred not more than one year prior to the date the complaint is received by the California Department of Education (CDE).

4. Due Process Complaints and Hearings - Parents/guardians who wish to request a formal hearing on a special education dispute should do so by filing a written request for a "due process" hearing, which includes the following information:

- a. name of the child;
- b. address of the residence of the child;
- c. name of the school the child is attending;
- d. in the case of a homeless child, available contact information for the child and the name of the school the child is attending; and
- e. a description of the nature of the problem, including facts relating to the problem(s) and a proposed resolution of the problem(s).

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Under most circumstances, the alleged violations must have occurred within the two years preceding the date the due process request is received. Requests for due process hearings are filed with:

Office of Administrative Hearings
Attention: Special Education Division
2349 Gateway Oaks Drive, Suite 200
Sacramento, CA 95833-4231
PHONE (916) 263-0880 FAX (916) 263-0890

Upon the filing of a request for a due process hearing, the parties are required to convene a "resolution session," which is a meeting between the parents and the relevant members of the student's Individual Education Plan (IEP) team who have specific knowledge of the facts identified in the due process hearing request, in an effort to resolve the disputed issue(s).

Under the IDEA, resolution sessions must be convened within fifteen (15) days of receiving notice of the parents' due process hearing request, although the parties can agree to extend the time, or agree to engage in mediation instead of a resolution session. The resolution session is not required if the parties agree in writing to waive the meeting. If a resolution is reached, the parties shall execute a legally binding agreement. If not, the matter goes to due process hearing before an Administrative Law Judge, during which each party may present the testimony of witnesses under oath and submit other evidence, and may challenge the other party's evidence and cross examine adverse witnesses.

The due process hearing decision is final and binding on both parties. Either party may appeal the hearing decision by filing a civil action in state or federal court in accordance with the procedures and timelines set forth under the IDEA and its regulations.

5. Notice to the Office - When filing a request for due process hearing with the Office of Administrative Hearings or a compliance complaint with the CDE, the person filing it must at the same time forward a copy of the complaint to the Superintendent's designee, addressed to:

Senior Administrator for Special Education Services
San Mateo County Office of Education
101 Twin Dolphin Drive
Redwood City, CA 94065-1064

6. Additional Information - Additional Information about resolving special education disputes, including how to file a compliance complaint and information about the due process procedures, is available from the CDE, Special Education Division, Procedural Safeguards Referral Service, by telephone at (800) 926-0648; by fax at 916-327-3704; or by visiting the CDE Web site at <<http://www.cde.ca.gov/sp/se/qa>>.

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**F. Complaints About Unlawful Discrimination, Harassment or Other Violation
(Uniform Complaints)**

1. Complaints about unlawful discrimination, harassment, or any other violation of state or federal laws or regulations are to be filed with the Compliance Officer:

Compliance Officer
San Mateo County Office of Education
101 Twin Dolphin Drive
Redwood City, CA 94065-1064

Any individual, public agency or organization may file a written complaint alleging violations by the Office. Complaints alleging discrimination must be initiated no later than six months from the date when the alleged discrimination occurred or when the complainant first became aware of the facts giving rise to the alleged discrimination, whichever is later. Complaints must be signed – the Superintendent ordinarily will not investigate unsigned complaints. If a complainant is unable to put a complaint in writing due to conditions such as illiteracy or because of a disability, staff shall help the complainant file the complaint.

The Superintendent shall designate a Compliance Officer for Uniform Complaints.

2. The Compliance Officer shall receive, date, log, and file each original written and signed complaint. If an unsigned complaint is received, the Compliance Officer may follow-up with the complainant, if he/she can be identified, to see if the complainant would like to submit a signed complaint.

3. The Compliance Officer shall work with appropriate staff to investigate the complaint. The Compliance Officer shall ensure that staff involved in investigating the complaint are knowledgeable about the laws and programs related to the complaint. Such employees may have access to legal counsel and to support from the Compliance Officer, as determined by the Superintendent or designee. The complaint shall be investigated according to law, regulation and collective bargaining agreements.

4. The Compliance Officer or another administrator/manager handling the complaint may discuss with the complainant the possibility of using mediation. If all parties agree to mediation, the Compliance Officer or administrator/manager shall arrange the mediation. The use of mediation shall not extend the timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time.

5. Within forty-five (45) days of receiving the complaint, the Compliance Officer and/or investigating staff shall prepare a written report of the investigation and conclusions. This report shall include the following:

- a. the findings of fact, based on evidence gathered, and disposition of the complaint, including corrective actions, if any are warranted;
- b. the rationale for the above disposition and conclusions of law;
- c. notice of the complainant's right to appeal the decision within 15 days to the California Department of Education, and procedures to be followed for initiating such

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an appeal;

d. for discrimination complaints, notice that the complainant must wait until 60 days have elapsed from filing the appeal with the California Department of Education before pursuing civil law remedies; and

e. a detailed statement of all specific issues that were brought up during the investigation and the extent to which these issues were resolved.

6. Within fifty-five (55) days of receiving the complaint, the Compliance Officer shall forward the report to the Superintendent for review, receive the approval or revisions to the report from the Superintendent and shall prepare a final decision to be signed by the Superintendent. The signature of the Superintendent is required on all final decisions, including decisions concerning complaints that might involve the Superintendent.

7. Within sixty (60) days, the Compliance Officer shall have the decision delivered to the complainant and a copy delivered to Human Resources. The sixty-day time period may be extended with the written agreement of the complainant. If no extension is agreed to, and no decision is signed and delivered, the Compliance Officer shall inform the complainant that he/she may appeal to the CDE.

8. If dissatisfied with the Superintendent's decision, the complainant may appeal in writing to the CDE within fifteen (15) days of receiving the decision. For good cause, the Superintendent of Public Instruction may grant an extension for filing appeals. When appealing to the CDE, the complainant must specify the reason(s) for appealing the Office's decision and must include a copy of the locally filed complaint and the Superintendent's decision.

9. A complainant may pursue available civil law remedies outside the Superintendent'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. For discrimination complaints, however, a complainant must wait until sixty (60) days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies. The moratorium does not apply to injunctive relief and is applicable only if the Superintendent has appropriately, and in a timely manner, apprised the complainant of his/her right to file a complaint.

10. The Compliance Officer shall ensure the appropriate dissemination of this Complaint Procedures Handbook, including the information contained herein about available appeals, civil law remedies and conditions under which a complaint may be taken directly to the CDE. This Handbook may be disseminated to students, employees, parents/guardians, advisory committees, private school officials or representatives and/or other interested parties.

11. The Compliance Officer shall ensure the appropriate annual dissemination of the following notice.

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Complaint Procedures Handbook

**NOTICE TO ALL STUDENTS, PARENTS, GUARDIANS, COUNTY
SUPERINTENDENT OF SCHOOLS EMPLOYEES, ADVISORY COMMITTEE
MEMBERS, PRIVATE SCHOOL OFFICIALS AND OTHER INTERESTED PARTIES**

The San Mateo County Superintendent of Schools (Superintendent), through operation of the San Mateo County Office of Education, a Local Educational Agency, has primarily responsibility for compliance with federal and state laws and regulations.

Accordingly, it is the policy of the Superintendent that discrimination against anyone based on race, color, religion, pregnancy, sex, sexual orientation, real or perceived sex or gender, genetic information or characteristics (with respect to a job applicant, employee or a family member), national origin, ancestry, age, physical or mental disability, mental condition, family care status, marital status, veteran's status, uniformed service, or other basis protected by state or federal laws is strictly prohibited.

The Superintendent has adopted Uniform Complaint Procedures designed to protect the rights of all students, staff, parents, and guardians. Complaints may be filed in cases of alleged discrimination and/or in cases of alleged violation of either federal or state law. The following procedures shall be used to address all complaints which allege that the Superintendent, individually or through his or her employees, has violated federal or state laws or regulations governing educational programs.

- Any individual, public agency or organization may file a written complaint of alleged violation of federal law by the Superintendent. Complaints alleging unlawful discrimination may be filed by a person who alleges that he/she personally suffered unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination.
- In order to be processed according to these procedures, the complaint must be initiated no later than six months from the date when the alleged discrimination occurred or when the complainant first obtained knowledge of the facts of the alleged discrimination.
- If assistance is needed in filing a complaint due to issues surrounding language, literacy or disability, staff of the San Mateo County Office of Education can assist the complainant.
- The identity of a complainant will be kept confidential and all complainants will be protected from any repercussion resulting from the filing of a complaint.
- Upon the receipt of a complaint, the Superintendent or designee will immediately investigate and make every attempt to resolve the complaint quickly and at a local level.
- A complaint form may be obtained in the Superintendent's Office of the San Mateo County Office of Education, and copies of the Uniform Complaint Procedures shall be available free of charge.
- Complaints should be presented to:
Compliance Officer
San Mateo County Office of Education
101 Twin Dolphin Drive, Redwood City, CA 94065-1064
- If not satisfied with the Superintendent's decision, the complainant may appeal in writing to the California Department of Education within 15 days of receiving the response from the Superintendent.
- A complainant may pursue available civil law remedies outside the Superintendent's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys.

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Uniform Complaint Form

TO: Compliance Officer, San Mateo County Office of Education
101 Twin Dolphin Drive, Redwood City, CA 94065-1064

FROM: Name(s) _____
Address(es) _____
Telephone # _____

Do you request a response to this request? ___ yes ___ no

Please explain in detail the nature of your complaint. Include dates and names whenever possible.
You may attach a separate sheet if necessary.

Were there any witnesses? If so, please list name(s) and contact information.

Are there any other individuals you want to be contacted in regard to your complaint? If so, list the name(s), contact information and the reason you wish the person(s) to be contacted.

What action do you suggest be taken regarding your complaint?

Is there anything else about your complaint you would like us to know?

Signature

Date

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G. All Other Complaints

1. All complaints, other than those described above concerning Employees; Instructional Materials; the *Williams* and *Valenzuela* complaints; Child Abuse; Special Education; and Unlawful Discrimination, Harassment and Other Violations are to be filed with the Compliance Officer:

Compliance Officer
San Mateo County Office of Education
101 Twin Dolphin Drive
Redwood City, CA 94065-1064

Any individual, public agency or organization may file a written complaint with the Compliance Officer. Complaints must be signed – ordinarily unsigned complaints will not be investigated. If a complainant is unable to put a complaint in writing due to conditions such as illiteracy or other disability, staff will help the complainant file the complaint.

2. The Compliance Officer shall receive, date, log, and file each original written and signed complaint.
3. The Compliance Officer shall review each complaint to determine appropriate response. If the content of the complaint most appropriately can be dealt with as a complaint concerning Employees, Instructional Materials, the *Williams* and *Valenzuela* Court Settlements, Child Abuse, Special Education or Unlawful Discrimination and/or Harassment, those procedures shall be followed.
4. The Compliance Officer will ensure that a reply is provided in a timely manner to any complainant who requests a reply.