

UNIFORM COMPLAINT PROCEDURES

The Mendocino County Office of Education is primarily responsible for compliance with federal and state laws and regulations and for investigating and seeking to resolve complaints alleging failure to comply with applicable state and federal laws and regulations and/or alleging discrimination. Copies of our complaint procedures are available free of charge.

The following procedures shall be used to address all complaints that allege that the County Office has violated federal or state laws or regulations governing educational programs. The County Office shall maintain a record of each complaint and subsequent related actions, including all information required for compliance with the California Code of Regulations, Title 5 (5 CCR), Section 4632.

The County Office will use its Uniform Complaint Procedures when addressing all complaints regarding sex equity (5 CCR Section 490C, et seq.).

Investigations of discrimination complaints shall be conducted in a manner that protects the confidentiality of the parties and the facts. (5 CCR, Section 4630)

All parties involved in allegations shall be notified when a complaint is filed, when a complaint meeting or hearing is scheduled and when a decision or ruling is made.

Right to Complain

This is a notification that you have a right to file a written complaint in the event that you believe that the County Office is in violation of any state or federal laws in any of the following programs: consolidated categorical aid programs, court/community school

programs, vocational education and special education programs. Uniform complaint procedures shall also be used when addressing complaints alleging failure to comply with the prohibition against requiring students to pay fees, deposits or other charges for participation in educational activities, or failure to comply with the legal requirements pertaining to the Local Control Accountability Plan (LCAP). You also have the right to file a written complaint pursuant to these procedures if you believe there has been unlawful discrimination, harassment, intimidation or bullying by the County Office on the basis of actual or perceived gender identity, gender expression, sexual orientation, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability, or 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, in any program or activity that receives or benefits from state or federal funding.

A complaint alleging noncompliance with the law regarding the prohibition against requiring students to pay student fees, deposits, and charges or noncompliance with the legal requirements pertaining to the LCAP, may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance. (Education Code Section 49013) The County Superintendent and/or his or her designee will serve as the responsible party for receiving all written complaints.

Step 1: Filing a Complaint

Any individual, public agency or organization may file a written complaint of alleged noncompliance.

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. The complaint must be initiated by filing a complaint no later than six (6) months from the date when the alleged discrimination occurred or when the complainant first obtained knowledge of the facts of the alleged discrimination. (5 CCR, Section 4630)

The complaint shall be presented to the County Superintendent or designee for investigation. The Investigating Administrator will maintain a log of complaints received, providing each with a code number and a date stamp.

If a complainant is unable to put a complaint in writing due to conditions such as illiteracy or other handicaps, County Office staff shall help him/her to file the complaint. (5 CCR, Section 4600). The complainant need not use Complaint Forms provided to file a complaint.

Step 2: Mediation

Before initiating the mediation of a discrimination complaint, the Investigating Administrator shall ensure that all parties agree to voluntarily participate in mediation and make the mediator a party to related confidential information.

If the mediation process does not resolve the problem within the parameters of law, the designated Investigating Administrator shall proceed with his/her investigation of the complaint. The use of mediation shall not extend to the County Office's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time.

Step 3: Investigation of Complaint

The Investigating Administrator shall hold an investigation meeting with the complainant. This meeting shall provide an opportunity for the complainant and/or his/her representative to repeat the complaint orally.

The complainant and/or his/her representative shall also have an opportunity to present information relevant to the complaint. (5 CCR, Section 4631) The Investigating Administrator shall conduct interviews with any other individuals he/she deems necessary to fully investigate the complaint. 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.

To ensure that all pertinent facts are made available, the complainant may request that other individuals be interviewed and asked to provide additional information regarding the complaint.

Step 4: Response

Within sixty (60) calendar days after the County Office's receipt of the complaint, unless the complainant agrees in writing to extend the time line, the Investigating Administrator shall prepare and send to the complainant a written report of the County Office's investigation and decision, as described in Step 5 below. If the complainant is dissatisfied with the Investigating Administrator's decision, he/she may, within fifteen (15) calendar days, file his/her complaint in writing with the California Department of Education (CDE).

Step 5: Final Written Decision

The report of the County Office’s decision shall be written in English and in the language of the complainant whenever feasible or required by law. The report shall include:

1. A statement of the complaint.
2. A detailed statement of all specific issues that were brought up during the investigation related to the complaint and the extent to which the issues were resolved.
3. The findings of fact based on the evidence gathered.
4. Conclusion of law.
5. Disposition of the complaint, including corrective actions, if any.
6. The rationale for the disposition.
7. Notice of the complainant’s right to appeal the decision to the California Department of Education and procedures to be followed for initiating such an appeal.

Appeal to the California Department of Education (CDE)

If dissatisfied with the County Office’s decision, the complainant may appeal in writing to the CDE within fifteen (15) calendar days of receiving the County Office’s decision.

When appealing to the CDE, the complainant must specify the reason(s) for appealing the County Office’s decision and must include a copy of the locally filed complaint and a copy of the County Office’s decision. (5 CCR, Section 4652).

Mendocino County Board Of Education

Adopted: May 29, 2001

Revised: July 11, 2023

Civil Law Remedies

Civil law remedies may be pursued through local, state or federal aid agencies, offices or private/public interest attorneys. Such may result in civil court remedies or agreements rather than the administrative remedies from the County Office or the CDE process.

Direct State Intervention

The CDE may directly intervene under certain circumstances, which are set forth in 5 CCR, Section 4650.

Annual Notification

Recipients of the annual notice of the County Office’s Uniform Complaint Procedures shall include, but not be limited to:

- Parents and guardians
- Students
- Employees
- Each school site council member and members of other advisory committees
- Officials of private schools with whom the county does business
- Other interested parties

Should you have any questions concerning the complaint process and your rights to file a complaint, you may contact the County Superintendent or designee.

California Department of Education
(Contacts for Programs and Services Covered Under Uniform Complaint Procedures)

Program	Contact	Phone
Adult Education	Adult Education Office	916-322-2175
After School Education and Safety	After School Division	916-319-0923
Agricultural Vocational Education	College & College Transition Division	916-319-0887
Career-Technical Education	Career & College Transition Division	916-322-5050
Regional Occupational Centers & Programs & Workforce Development Centers	Career & College Transition Division	916-322-5050
Child Care & Development (including State Preschool)	Early Education & Support Division	916-322-6233
Consolidated Categorical Programs, NCLB & Unlawful Pupil Fees	Categorical Programs Complaints Management	916-319-0929
Foster & Homeless Youth Services	Coordinated School Health & Safety Office	916-327-5930
Local Control Funding Formula/Local Control Accountability Plan (LCFF/LCAP): Content or Procedures.	Local Agency Systems Support Office	916-319-0809
Fiscal	School Fiscal Services Division	916-322-3024
Nutrition Services (including Child Nutrition)	Nutrition Services Division	916-445-0850
Special Education	Procedural Safeguards & Referral Services Unit	800-926-0648
Tobacco-Use Prevention Education	Coordinated School Health & Safety Office	916-319-0914
Service	Contact	Phone
Education Equity • Discrimination • Harassment • Intimidation • Bullying • Civil Rights Guarantees	Office of Equal Opportunity	916-445-9174

MENDOCINO COUNTY OFFICE OF EDUCATION

Nicole H. Glentzer Superintendent



UNIFORM COMPLAINT PROCEDURE

FOR INFORMATION/COMPLAINT PROCESSING CONTACT:

Students and Parents:

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Interim Assistant
Superintendent
Educational Services
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Employees:

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