

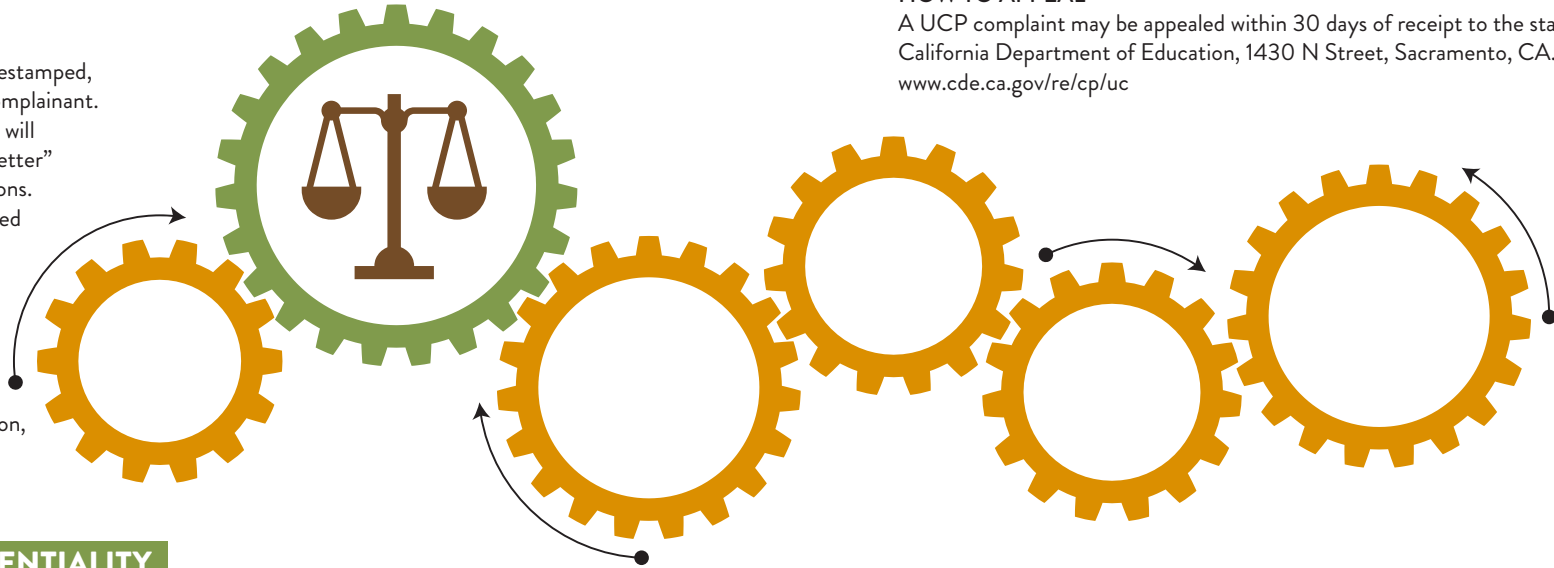
# UNIFORM COMPLAINT PROCEDURES (UCP)

## WHAT IS UCP?

The District's responsibility is to ensure compliance with state and federal laws and regulations. Through the UCP process, the District shall investigate allegations of unlawful discrimination, harassment, bullying, intimidation, and retaliation against any protected group/class. In addition, the District shall respond to complaints of noncompliance with laws relating to categorical programs, activities and services provided by the District.

## COMPLAINT PROCESS

- All complaints received are timestamped, and a copy is provided to the complainant.
- Within 5 days, the complainant will receive an "Acknowledgment Letter" outlining the complaint allegations.
- An investigator will review related documents, interview the complainant, the respondent, and all witnesses.
- Within 60 days, the complainant will receive a "Letter of Findings" with facts, analysis, and a decision, along with appeal information.



## PRIVACY & CONFIDENTIALITY

The District will only share information with individuals associated with, or those in the need to know (i.e. District office personnel, administrators, counselors, or staff members). In addition, the District assures confidentiality 'to the maximum extent possible,' and prohibits retaliation against anyone who files a complaint or participates in the complaint process.

## ALTERNATIVE DISPUTE RESOLUTIONS

While it is within the complainant's legal right to file a UCP, the following remedies are always available:

- Speak with a school-site administrator or District office personnel to resolve the problem.
- Request a facilitated meeting, which may include school-site administrators, District office personnel or a Title IX designee to resolve the problem.
- Mediation

## HOW TO SUBMIT A UCP

Any student, parent, employee, resident, public agency, or organization may walk in, mail, or email a written and signed complaint form to:  
Jasmina Viteskic, Title IX Coordinator  
Berkeley Unified School District, 2020 Bonar Street, Room 117, Berkeley, CA 94702

(510) 486-9338 • [complaints@berkeley.net](mailto:complaints@berkeley.net)  
Click Link to access UCP Complaint Form

## HOW TO APPEAL

A UCP complaint may be appealed within 30 days of receipt to the state at:  
California Department of Education, 1430 N Street, Sacramento, CA. 95814  
[www.cde.ca.gov/re/cp/uc](http://www.cde.ca.gov/re/cp/uc)

## PROTECTED CLASSES

Complaints of unlawful discrimination, harassment, bullying, or intimidation may be filed as a UCP on one or more of the protected classes listed below:

Marital, Parenting, or Breastfeeding Status	Age	Religion
Sex	Gender Expression	Immigration Status
Sexual Orientation	Ethnic Group Identification	Genetic Information
Gender	Homeless/Foster Status	Nationality
Gender Identity	Race or Ethnicity	National Origin
	Color	Lactating Student

Association with an individual or group with one or more of the actual or perceived groups listed above.

*Note: Must be filed no later than six months from the date of occurrence, or when the complainant had knowledge of the facts. A UCP may also be filed for complaints of retaliation.*

# (UCP) CONTINUED

## CATEGORICAL PROGRAMS, ACTIVITIES & SERVICES

Complaints of noncompliance on any District program, service or activity listed below may be filed as a UCP:

Adult Education	Tobacco Use Prevention Education	Consolidated Categorical Aid
Lactation Accommodations	Local Control & Accountability Plans	School-Site Council
Pupil Fees	Compensatory Education	School Safety Plans
Special Education	English Learner Programs	Coursed of Study w/out Ed Content
Every Student Succeeds Act	Migrant Education	Child Care & Development
P.E. Instructional Minutes	Berkeley Peer Assistance and Review Programs	Career Tech & Tech Ed, and Career Tech & Tech Training
Juvenile Court Schools Including Former Students		

Deficiencies related to Preschool Health & Safety Issues for a CA State Preschool

Educational rights of foster youth and graduation requirements for foster, homeless and other youth (former juvenile court pupils, children of military families, migratory pupils, and newcomers).

Any other state/federal educational program the Superintendent of Public Instruction deems necessary.

*Note: Must be filed within one year of enrollment or participation in any program, service or activity listed above. For LCAP, the date of the alleged violation is the date when the reviewing authority approves the LCAP or annual update that was adopted by the District. A UCP may also be filed for complaints of retaliation.*

## PUPIL FEES

Any student enrolled in a District school shall not be required to pay a pupil fee for participation in an educational activity.

Pupil fees are fees charged to a pupil as a condition for registering for school or classes, or as a condition for participation in class or extracurricular activity, regardless if the course or activity is elective, compulsory or for credit.

A pupil fee is defined as a security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, clothes, or other materials or equipment. In addition, a purchase that a pupil is required to make to obtain materials, supplies, equipment, or clothes associated with an educational activity.

## SUPPORT & RESOURCES

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 Title IX Compliance Office at (510) 486-9338.

