

**Santa Monica-Malibu Unified School District
Uniform Complaint Procedures
(BP 1312.3 and AR 1312.3)**

The Board of Education recognizes that the district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The district shall investigate and seek to resolve any complaints alleging failure to comply with such laws and/or alleging unlawful discrimination, harassment, intimidation, or bullying in accordance with the uniform complaint procedures.

The district shall use the uniform complaint procedures to resolve any complaint alleging unlawful discrimination, harassment, intimidation, or bullying in district programs and activities based on actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Penal Code 422.55, or Government Code 11135, or based on association with a person or group with one or more of these actual or perceived characteristics.

Additionally, uniform complaint procedures shall also be used to address any complaint alleging the district's failure to comply with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities, the requirements for the development and adoption of a school safety plan, and state and/or federal laws in adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, and special education programs.

The following process applies only to those complaints meeting the criteria under uniform complaint procedures, described above:

- Informal resolution of complaints at the site level is encouraged whenever possible.
- Complaints made under these procedures shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.
- Within three days of receiving the complaint, the compliance officer may informally discuss with the complainant the possibility of using mediation.
- Within 10 calendar days of receiving the complaint, the compliance officer shall provide the complainant and/or his/her representative an opportunity to present the complaint and any evidence, or information leading to evidence, to support the allegation in the complaint.
- If the complainant refuses mediation or if the mediation process does not solve the problem, the compliance officer shall proceed with his/her investigation of the complaint.
- Within 60 days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report of the district's investigation and decision.
- If dissatisfied with the district's decision, the complainant may appeal in writing to the California State Department of Education (CDE) within 15 days of receiving the district's decision. When appealing to the CDE, the complainant must specify the basis for the appeal of the district's decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the district's decision.

The Board of Education acknowledges and respects every individual's rights to privacy. In investigating complaints, the confidentiality of the parties involved and the integrity of the process shall be protected. As appropriate for any complaint alleging discrimination, harassment, intimidation, or bullying, the Superintendent or designee may keep the identity of a complainant confidential to the extent that the investigation of the complaint is not obstructed.

The Board prohibits any form of retaliation against any complainant in the complaint process. Such participation shall not in any way affect the status, grades, or work assignments of the complainant.

The Superintendent designates the following compliance officer to receive and investigate all complaints and ensure district compliance with the law:

Assistant Superintendent, Human Resources
1651 16th Street
Santa Monica, CA 90404
(310) 450-8338

