UNIFORM COMPLAINT PROCEDURES

These Uniform Complaint Procedures ("UCP") contain rules and instructions about UCP complaints regarding any alleged violation of federal or state laws or regulations governing certain educational programs and activities offered by Da Vinci Schools ("School"). The School developed this UCP in accordance with Title 5, California Code of Regulations, §§ 4600 et seq. The School has primary responsibility to ensure School's compliance with applicable state and federal laws and regulations, and School will investigate and seek to resolve UCP complaints in accordance with this UCP. This UCP has been approved by the School's Board.

UCP COMPLAINTS

Not all complaints fall under the scope of the UCP. Complaints arising from the employment relationship are separately addressed by the School's employment policies. Many concerns, including classroom assignments, grades, hiring and evaluation of staff, homework policies and practices, student advancement and retention, student discipline, student records, the Brown Act, and other general education requirements, are not UCP complaints. The School, however, may use these complaint procedures to address complaints not covered by the UCP in its sole discretion. Only allegations within the subject matters falling within the UCP can be appealed to the CDE.

A UCP complaint is a written and signed statement alleging a violation of federal or state laws or regulations, which may include: complaints regarding certain programs and activities (list below); complaints alleging the charging of pupil fees for participation in an educational activity; complaints regarding non-compliance with the requirements of the School's Local Control and Accountability Plans ("LCAP"); or an allegation of unlawful discrimination, harassment, intimidation, or bullying in certain programs or activities.

Complaints Regarding Programs and Activities

According to applicable law, the programs and activities subject to the UCP are:

- Accommodations for Pregnant and Parenting Pupils
- Adult Education
- After School Education and Safety
- Agricultural Career Technical Education
- Career Technical and Technical Education; Career Technical and Technical Training Programs
- Child Care and Development Programs
- Compensatory Education

- Education and Graduation requirements of Pupils in Foster Care, Homeless Pupils, former Juvenile Court Pupils, Pupils of Military Families, Pupils who are Migratory, and Pupils Participating in a Newcomer Program
- Regional Occupational Centers and Programs
- Reasonable Accommodations to a Lactating Pupil
- Schoolsite Councils
- School Plan for Student Achievement
- School or Athletic Team Names, Mascots, or Nicknames pursuant to Education Code § 221.3
- Pupil Fees
- Local Control and Accountability Plans
- Every Student Succeeds Act
- Migrant Education
- Physical Education Instructional Minutes
- State Preschool Health and Safety Issues in LEAs Exempt from Licensing
- State Preschool
- Consolidated Categorical Aid Programs
- Course Periods without Educational Content (grades nine through twelve)
- Complaints of Discrimination, Harassment, Intimidation and/or Bullying any protected group as identified in Education Code §§ 200 and 220 and Government Code § 11135, including any actual or perceived characteristics set forth in Penal Code § 422.55, 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 conducted by the School which is funded directly by, or that received or benefits from, any state financial assistance. Unlawful discrimination further includes noncompliance with Education Code §§ 243(a) and 244.
- Any other state or federal educational program the State Superintendent of Public Instruction or the California Department of Education or designee deems appropriate

THE UCP ANNUAL NOTICE

The School provides notice of this UCP on an annual basis. The notice may be made available on the School's website. The notice addresses all students, employees, parents or guardians, school advisory committee members, appropriate private school officials or representatives (if applicable), and other interested parties. The notice includes information regarding allegations about discrimination, harassment, intimidation, or bullying. It lists all federal and state programs within the scope of the UCP. It lists the position at School who is responsible for and knowledgeable about processing UCP complaints, including a statement that the occupant

in the position shall be knowledgeable about the laws and programs that they are assigned to investigate. The School's annual UCP notice is in English. If 15% or more of students enrolled at the School speak a single primary language other than English, the annual notice will be provided in that language as well pursuant to Education Code § 48985.

The School does not operate a preschool program, but pursuant to applicable law, the notice includes a statement that in order to identify appropriate subjects of state preschool health and safety issues pursuant to Section 1596.7925 of the Health and Safety Code (HSC) a notice, separate from the UCP Annual Notice, shall be posted in each California state preschool program classroom in each school in the local educational agency notifying parents, guardians, pupils, and teachers (1) that the health and safety requirements under Title 5 of the California Code of Regulations apply to California state preschool programs pursuant to HSC Section 1596.7925, and (2) of the location at which to obtain a form to file a complaint.

DESIGNATION OF RESPONSIBLE EMPLOYEE

The School's Chief People Officer is the employee responsible for receiving, investigating and responding to UCP complaints (the "Responsive Employee"):

Veronica Rodriguez, Chief People Officer/Assistant Superintendent
201 N. Douglas Street
El Segundo, CA 90245
vrodriguez@davincischools.org

In no instance will the Responsible Employee be assigned to investigate a complaint in which he or she has a bias that would prohibit him or her from fairly investigating or responding to the complaint. Any complaint against Responsible Employee or that raises a concern about Responsible Employee's ability to investigate the complaint fairly and without bias should be referred to the School's Chief Executive Officer/Superintendent or other appropriate School official, who will determine how the complaint will be investigated.

The School will ensure that the Responsible Employee (or designee) investigating the complaint is knowledgeable about the laws and programs at issue in the complaints. The School may consult with legal counsel as appropriate.

CONFIDENTIALITY AND NON-RETALIATION

The School will ensure that complainants are protected from retaliation and that the identity of a complainant alleging discrimination, harassment, intimidation or bullying remains confidential as appropriate.

COMPLAINT PROCEDURES

Step 1: Filing a UCP Complaint

A UCP complaint must be filed according to the procedures set forth herein.

Any individual, including a person's duly authorized representative or an interested third party, public agency, or organization, may file a UCP complaint. However, a complaint filed on behalf of a student may only be filed by that student or that student's duly authorized representative.

A complaint alleging unlawful discrimination, harassment, intimidation, or bullying may be filed by a person who alleges that he or she personally suffered unlawful discrimination, harassment, intimidation, or bullying, or by a person who believes that an individual or any specific class of individuals has been subjected to the same.

A UCP complaint is written and signed. If a complainant is unable to put his/her complaint in writing due to a disability or illiteracy, the School will assist the complainant in the filing of the complaint. A signature on a UCP complaint may be handwritten, typed (including in an email), or electronically-generated. Complaints related to pupil fees and/or LCAPs may be filed anonymously (that is, without an identifying signature) if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance.

Complainants are encouraged, but not required, to use the appropriate complaint form(s), attached.

Complaints shall be filed with the Responsible Employee at the address provided herein. A pupil fees complaint may also be filed with the School's CEO/Superintendent or Principal. The Responsible Employee will maintain a log of complaints and subsequent related actions to the extent required by oversight agencies.

Upon receipt of a complaint, the Responsible Employee (or designee) will evaluate the complaint to determine whether it is subject to this UCP and will notify the complainant within five (5) workdays if the complaint is outside the jurisdiction of this UCP.

The Responsible Employee (or designee) may also determine if interim measures are necessary pending the result of an investigation. If interim measures are determined to be necessary, Responsible Employee (or designee) will consult with the Superintendent or designee, prior to implementing any such measures. The interim measures shall remain in place until the Responsible Employee (or designee) determines that they are no longer necessary or until the School issues its final written Investigation Report, whichever occurs first.

Timing of Complaints and Investigation

A complaint alleging unlawful discrimination, harassment, intimidation, or bullying shall be filed no later than six (6) months from the date when the alleged unlawful discrimination, harassment, intimidation or bullying occurred or the complainant first obtained knowledge of it. The time for filing may be extended by the Responsible Employee (or designee) for good cause upon written request from the complainant. Such extension shall be in writing and may not exceed ninety (90) days following the expiration of the six-month period.

All other complaints shall be filed no later than one (1) year from the date the alleged violation occurred (except for complaints regarding the education rights of foster youth per 5 CCR

4630.5). For complaints regarding LCAP, the date of the alleged violation is the date when the School's governing board approves the LCAP or annual update.

Unless a UCP complaint is resolved through mediation as set forth below, School will investigate the UCP complaint and issue a written Investigation Report to the complainant within 60 calendar days from the date of receipt of the complaint, unless the complainant agrees in writing to an extension of time.

Step 2: Mediation (Optional)

The Responsible Employee (or designee) and complainant may mutually agree to mediation. Any School employee or member of the School's governing board who has not been involved with the allegations in the complaint may be assigned by the Responsible Employee (or designee) to serve as mediator. The mediator will arrange for both the complainant and School to present relevant evidence. The Responsible Employee (or designee) will inform the complainant that the mediation process may be terminated at any time by either the School or complainant, in which case the complaint will proceed directly to an investigation. If mediation resolves the complaint to the satisfaction of both parties, the School will implement any remedial measures and the complainant may choose to withdraw the complaint. If mediation does not resolve the complaint to the satisfaction of both parties or within the parameters of law, the Responsible Employee (or designee) shall proceed with his/her investigation of the complaint.

The use of mediation does not extend the School'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

In order to investigate the complaint, the Responsible Employee (or designee) shall have access to applicable School records and/or information related to the complaint allegations. As part of his/her investigation, the Responsible Employee (or designee) will do all of the following, in any order:

- Provide an opportunity for the complainants and/or representatives to present evidence or information relevant to the complaint or investigative process.
- Obtain statements from individuals/witnesses who can provide relevant information concerning the alleged violation.
- Review documents that may provide information relevant to the allegation.
- When necessary, seek clarification on specific complaint issues.

Refusal by the complainant or his/her representatives to provide the Responsible Employee (or designee) with documents or other evidence related to the allegations in the complaint, or failure or refusal to cooperate or obstruction of the investigation, may result in dismissal of complaint because of a lack of evidence to support the allegation.

Refusal by the School to provide the Responsible Employee (or designee) with access to records and/or other information related to the allegations in the complaint, or failure or refusal to cooperate or 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.

Step 4: Final Written Decision (Investigation Report)

The Responsible Employee (or designee) shall prepare and send to the complainant a written report of the investigation and final decision (the "Investigation Report") within sixty (60) calendar days of receipt of the complaint, unless complainant agrees to extend this date. The School's Investigation Report shall be written in English and, when required by law, in the complainant's primary language.

The Investigation Report shall include:

1. The finding(s) of fact based on the evidence gathered;

2. Conclusion providing a clear determination as to each allegation as to whether the School is in compliance with the relevant law;

3. If the School finds merit in the complaint, the corrective actions required by law;

4. Notice of the complainant's right to appeal the School's Investigation Report to the CDE, except when the School has used its UCP to address a non-UCP complaint; and

5. Procedures to be followed for initiating an appeal to the CDE.

In addition, any Investigation Report on a complaint of discrimination, harassment, intimidation or bullying based on state law shall include a notice that the complainant must wait until sixty (60) calendar days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies.

An Investigation Report shall not include student information protected under the Family Educational Rights and Privacy Act (FERPA) or any private employee personnel information, including but not limited to the nature of the disciplinary action taken against a student or employee. If a student or employee is disciplined as a result of the complaint, the Investigation Report shall simply state that effective action was taken and that the student or employee was informed of the School's expectations.

If the School finds merit in a complaint regarding pupil fees, physical education instructional minutes, course periods without educational content, or LCAP, the remedy will go to all affected pupils and parents/guardians. For all other complaints within the scope of the UCP, the remedy shall go to the affected pupil. The School, in good faith will engage in reasonable efforts to identify and fully reimburse all pupils, parents and guardians who paid any unlawful pupil fee within one year prior to the filing of the complaint.

APPEAL PROCESS

A complainant may appeal the School's Investigation Report by filing a written appeal within thirty (30) calendar days of the date of the Investigation Report to the California Department of Education ("CDE"). This appeal to the CDE must specify and explain the basis for the appeal, including at least one of the following:

1. The School failed to follow its complaint procedures;

2. Relative to the allegations of the complaint, the Investigation Report lacks material findings of fact necessary to reach a conclusion of law;

3. The material findings of fact in the Investigation Report are not supported by substantial evidence;

4. The legal conclusion in the Investigation Report is inconsistent with the law; and/or

5. In a case in which the School found noncompliance, the corrective actions fail to provide a proper remedy.

The appeal must be sent to CDE with: (1) a copy of the locally filed complaint; and (2) a copy of the School's Investigation Report. An online Appeal Assistance Form is available on the CDE website at Appeal Assistance Form - Complaint Procedures (CA Department of Education).

The CDE may directly intervene in the complaint without waiting for action by the School when one of the conditions listed in Title 5, California Code of Regulations, § 4650 exists, including cases in which the School has not taken action within sixty (60) days of the date the complaint was filed with the School. A direct complaint to CDE must identify the basis for direct filing of the complaint, which must include evidence that supports such a basis.

CIVIL LAW REMEDIES

A complainant may pursue available civil law remedies under state or federal discrimination, harassment, intimidation or bullying laws. 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.

UCP Requirements Regarding State Preschool Health and Safety Issues Pursuant to HSC Section 1596.7925

To file a UCP complaint regarding a state preschool health and safety issue pursuant to HSC Section 1596.7925 the complainant must file with the school's preschool program administrator or their designee. The School does not currently operate a preschool program.

A state preschool health and safety issues complaint about problems beyond the authority of a school's preschool program administrator shall be forwarded in a timely manner, but not to exceed 10 working days to the appropriate school official for resolution.

A state preschool health and safety issues complaint may be filed anonymously. A complainant who identifies themselves is entitled to a response if they indicate that a response is requested. A complaint form shall include a space to mark to indicate whether a response is requested. If Education Code Section 48985 is otherwise applicable, the response, if requested, and the school's Investigation Report shall be written in English and the primary language in which the complaint was filed.

A complaint form for a state preschool health and safety issue shall specify the location for filing a complaint. A complainant may add as much text to explain the complaint as they wish.

When investigating a UCP state preschool health and safety issue the preschool program administrator or the school's designee shall make all reasonable efforts to investigate any problem within their authority, and investigations shall begin within 10 calendar days of the receipt of the complaint. A valid complaint shall be remedied within a reasonable time period, but not to exceed 30 working days from the date the complaint was received. The resolution of the complaint shall be reported to the complainant within 45 working days of the initial filing. If the preschool program administrator makes this report, they shall also report the same information in the same timeframe to the school's designee.

Filing an Appeal Regarding UCP State Preschool Health and Safety Issues

A complainant not satisfied with the resolution of the preschool program administrator or the school's designee has the right to describe the complaint at a regularly scheduled hearing of the board. A complainant will not be precluded from filing an appeal to the State Superintendent of Public Instruction ("SSPI") if the complainant does not file a local appeal.

A complainant who is not satisfied with the resolution proffered by the preschool program administrator or the school's designee has the right to file an appeal to the SSPI within 30 calendar days of the date of the Investigation Report.

The complainant shall comply with the same appeal requirements of 5 CCR section 4632.

The school shall report summarized data on the nature and resolution of all UCP state preschool health and safety issues complaints on a quarterly basis to the county superintendent of schools and its board. The summaries shall be publicly reported on a quarterly basis at a regularly scheduled meeting of the school's board. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints.

All complaints and responses are public records.

UNIFORM COMPLAINT PROCEDURE FORM

Please complete this form, providing as much information as possible and attaching any applicable supporting documentation, to assist in the investigation of the complaint.

Information

LAST NAME OF THE COMPLAINANT	FIRST NAME OF THE COMPLAINANT	
STUDENT NAME (IF APPLICABLE)	STUDENT GRADE	STUDENT DOB
ADDRESS (NUMBER, STREET, APARTMENT NUMBER, CITY, STATE AND ZIP CODE)		
EMAIL ADDRESS	TELEPHONE NUMBER	
COMPLAINANT WILL NEED THE ASSISTANCE OF AN INTERPRETER ○ No ○ Yes *(specify the language to be spoken by the interpreter)*		
COMPLAINANT IS A: ○ Student ○ Parent/Guardian ○ Employee ○ Other *(specify)*		
THIS COMPLAINT IS BEING FILED ON BEHALF OF: ○ Myself ○ A student (not the complainant named above) ○ Other *(specify)*		
DATE OF ALLEGED VIOLATION	SCHOOL OF ALLEGED VIOLATION	

Basis of Complaint

For allegations related to any of the following programs and activities subject to the UCP:

- □ Discrimination, Harassment, Intimidation, and/or Bullying
- □ Education for Foster Youth, Homeless Youth, Former Juvenile Court School Students, Military Dependents, Migratory Students, Newcomer Students
- □ Every Student Succeeds Act
- □ Local Control Accountability Plan
- □ Career Technical Education
- □ Consolidated Categorical Aid
- □ Pupil Fees
- □ Reasonable Accommodations to a Lactating Student

□ Other Basis from UCP: _____

For complaints alleging discrimination, harassment, intimidation, and/or bullying, indicate the actual or perceived protected characteristics upon which the alleged conduct is based:

- □ Race or ethnicity
- □ Color
- □ Ancestry
- □ Nationality
- □ National origin
- □ Immigration status
- □ Ethnic group identification
- □ Religion
- □ Age
- □ Marital status
- □ Disability
- □ Other _____
- □ Sex
- □ Sexual orientation
- □ Gender
- □ Gender identity
- □ Gender expression
- □ Genetic information

Details of the Complaint

Please answer the following questions to the best of your ability. If you mention names, please also identify who they are (i.e. student, staff, parent, etc.). Attach additional pages, if necessary.

Provide the **facts** about your complaint:

_____

_____

_____

_____

List the **people** involved or impacted:

_____

_____

_____

List any **witnesses** or individuals who may have knowledge of the alleged acts:

_____

_____

_____

Provide and/or describe the specific **location(s)** where the incident(s) occurred:

_____

_____

_____

List all the **date(s) and time(s)** when the incident(s) occurred or when the alleged acts first came to your attention:

_____

_____

Describe any **steps** you have taken to resolve this issue before filing the complaint. If applicable, list names and titles of school staff you have contacted:

_____

_____

_____

Do you have any **written documents/evidence** that you can provide that may be relevant/ supportive of your complaint?

☐ No

☐ Yes, copies of the documents/evidence are attached to this complaint

Signature of Complainant _____ Date _____

Please file this form and any additional documents in person or by mail with the following individual: **Da Vinci Schools – ATTN: Veronica Rodriguez, Chief People Officer/Assistant Superintendent – 201 N. Douglas Street, El Segundo, CA, 90245 - vrodriguez@davincischools.org**