



2023-24 School Year

**ANNUAL NOTIFICATION OF THE UNIFORM COMPLAINT PROCEDURES (UCP)**

**To all students, employees, parents or guardians of its students, school and district advisory committee members, appropriate private school officials or representatives, and other interested parties:**

The Fresno Unified School District has the primary responsibility to ensure compliance with applicable state federal laws and regulations and has established Uniform Complaint Procedures (UCP) to address and resolve any complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, and/or bullying in any district educational programs.

The Fresno Unified School District shall investigate all allegations of unlawful discrimination, discriminatory harassment, intimidation, or bullying against any person in district programs and activities, including, but not limited to, those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on the person's actual or perceived characteristics of race, color, ethnicity, national origin, immigration status, ancestry, age, creed, religion, political affiliation, gender, gender identity, gender expression, genetic information, mental or physical disability, sex, sexual orientation, marital status, pregnancy status, parental status, medical condition, military veteran status, or association with a person or a group with one or more of these actual or perceived characteristics or any other basis protected by law or regulation, in its educational program(s) or employment, or any other characteristic identified in Education Code 200 or 220, Penal Code 422.55, or Government Code 11135 or based on the 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 an educational institution, as defined in Section 210.3, that is funded directly by, or that receives or benefits from, any state financial assistance. (5 CCR 4610).

The UCP shall also be used when addressing complaints alleging failure to comply with state and/or federal laws in:

- Accommodations for Pregnant and Parenting Pupils
- Adult Education
- After School Education and Safety Programs
- Agricultural Career Technical Education
- California State Preschool Programs and Health/Safety Issues
- Child Care and Developmental Programs
- Compensatory Education
- Consolidated Categorical Aid Program
- Course Periods Without Educational Content
- Education of Pupils (Foster Care, Homeless, former Juvenile Court Pupils, and Children of Military Families)
- Federal Every Student Succeeds Act
- Local Control and Accountability Plans (LCAP)
- Migrant Education
- Physical Education Instructional Minutes
- Pupil Fees
- Reasonable Accommodations to a Lactating Pupil
- Regional Occupational Centers and Programs
- School Plans for Student Achievement
- School Safety Plans
- School site Councils
- State and Federal Career Technical Education, Career Technical and Training Programs

A complaint of noncompliance with laws relating to pupil fees may be filed pursuant to the local UCP. A pupil fees or LCAP complaint may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint. A pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity.

Complaints of noncompliance with laws relating to pupil fees are filed with a principal of a school. A pupil fee complaint shall not be filed later than one year from the date the alleged violation occurred. A pupil fee includes, but is not limited to, all of the following:

1. A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory or is for credit.
2. 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.
3. A purchase that a pupil is required to make to obtain materials, supplies, or equipment, or clothes associated with an educational activity.

Educational and graduation requirements for pupils in foster care, pupils who are homeless, pupils from military families and pupils formerly in Juvenile Court now enrolled in a school district as specified in Education Code 48645.7, 48853, 48853.5, 49069.5, 51225.1 and 51225.2. The notice shall include complaint process information, as applicable.

In order to identify appropriate subjects of state preschool health and safety issues pursuant to HSC Section 1596.7925, a notice shall be posted in each California state preschool program classroom in each school in the district. The notice shall (1) state the health and safety requirements under 5 CCR that apply to California state preschool programs pursuant to HSC Section 1596.7925 and (2) state the location at which to obtain a form to file a state preschool health and safety issues complaint pursuant to HSC Section 1596.7925.

Complaints should be filed in writing and signed by the complainant or complaints may be filed anonymously. However, if complainant wishes to receive a response, the complainant must indicate that a response is required and provide contact information. If a complainant is unable to put their complaint in writing, for example, due to conditions such as a disability or illiteracy, district staff shall assist them in the filing of the complaint.

The Governing Board designates the following compliance officer(s) to receive formal and informal complaints from constituents, including students, and investigate them to ensure district compliance with law (Title II, V, IX, Title 5, Section 504 of the Rehabilitation Act):

Equity Compliance Officer  
Constituents Services Office  
Address: 2309 Tulare Street Fresno, CA 93721  
Phone: (559) 457-3736  
FAX: (559) 457-3933  
Email: [Constituent.Services@fresnounified.org](mailto:Constituent.Services@fresnounified.org)

Chief of Human Resources  
Title IX Officer/AgeDA (Discrimination Act)  
Human Resources  
Address: 2309 Tulare Street, Fresno, CA 93721  
Phone: (559) 457-3730  
FAX: (559) 457-3528  
Email: [titleix@fresnounified.org](mailto:titleix@fresnounified.org)

Instructional Superintendent  
Special Education Office  
Special Education Office  
Address: 1301 M Street, Fresno, CA 93721  
Phone: (559) 457-3220  
FAX: (559) 457-3258  
Email: [SpedLeadership@fresnounified.org](mailto:SpedLeadership@fresnounified.org)

District 504 Coordinator  
Fresno Unified School District  
Address: 1301 M Street, Fresno, CA 93721  
Phone: (559) 457-3308  
FAX: (559) 457-3258  
Email: [504@fresnounified.org](mailto:504@fresnounified.org)

Complaints alleging unlawful discrimination, discriminatory harassment, intimidation or bullying must be filed not later than six (6) months from the date the alleged incident occurred or six months from the date the complainant first obtained knowledge of the facts of the alleged discrimination, discriminatory harassment, intimidation or bullying. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. As appropriate for any complaint alleging retaliation, unlawful discrimination, discriminatory harassment, intimidation, or bullying, the Superintendent or designee may keep the identity of the complainant confidential to the extent that the investigation of the complaint is not obstructed. Complaints shall be investigated in a manner that protects the confidentiality of the parties and maintaining the integrity of the process.

Complaints will be investigated, and a written decision or report will be sent to the complainant within sixty (60) calendar days from the date of the receipt of the complaint, unless the complainant agrees in writing to an extension of time. The Local Educational Agency (LEA) person responsible for investigating the complaint shall conduct and complete the investigation in accordance with sections 4680-4687 and in accordance with local procedures adopted under section 4621.

The complainant has a right to appeal the LEA's decision to the California Department of Education (CDE) by filing a written appeal within 15 days of receiving the LEA's decision. In any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the respondent also shall have the right to file an appeal with the CDE in the same manner as the complainant, if they are dissatisfied with the district's decision. The appeal must include a copy of the complaint filed with the LEA and a copy of the LEA's decision. In appropriate cases, an appeal may be filed pursuant to Education Code Section 262.3. A complainant may pursue available civil law remedies outside of the LEA's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys.

The district prohibits retaliation in any form for filing a complaint and shall ensure that complainants or anyone who has acted to uncover or report a violation subject are protected from retaliation. The UCP shall also be used when addressing complaints alleging retaliation against a complainant or other participant in the complaint process. A copy of the Fresno Unified School District's UCP policy and complaint procedures shall be available free of charge and is available on the district's website.

*Revised: June 14, 2023*