



*Uniform Complaint Procedures*  
**FONTANA UNIFIED SCHOOL DISTRICT**

### GOAL

It is the goal of the Fontana Unified School District to ensure compliance with applicable state and federal regulations. The district has adopted policies and procedures for the investigation and resolution of complaints alleging failure to comply with applicable state and federal laws. The District is primarily responsible for compliance with federal and state laws and regulations.

### RESPONSIBILITY FOR UNIFORM COMPLAINT PROCEDURES

The Associate Superintendent of Human Resources will monitor compliance with provisions outlined in the District's Uniform Complaint Procedure Process. Complaints and allegations regarding noncompliance with applicable state and federal guidelines should be submitted in writing to the Associate Superintendent of Human Resources.

### SCOPE OF COMPLAINT PROCEDURES

This procedure applies to the following programs administered by the State Department of Education:

- Adult Education
- Consolidated Categorical Aid Programs
- Migrant Education
- Vocational Education
- Child Development Programs
- Indian Education
- Special Education Programs

This procedure also applied to complaints which allege unlawful discrimination on the basis of ethnic group identification, religion, age, sex, color, or physical or mental disability, in any program or activity conducted by the District.

### WHO MAY FILE A COMPLAINT?

A complaint may be filed by any individual, including a duly authorized representative, interested third party, public agency, and/or organization. Individuals who may file complaints include District students, employees, and parents or guardians. Investigations are conducted in a manner that protects against retaliation and confidentiality of parties and the facts to the greatest extent possible.

### FILING A COMPLAINT

A written complaint alleging unlawful discrimination shall be filed by one who alleges that he or she has personally suffered unlawful discrimination, or by one who believes an individual or any specific class of individuals has been subjected to prohibited discrimination and evidence relevant to the complaint can be presented during the process. A complaint alleging unlawful discrimination shall be filed with the Associate Superintendent, Human Resources, 9680 Citrus Avenue, P. O. Box 5090, Fontana, CA 92335-5090, no later than six months from the date the complainant first obtained knowledge of the facts of the alleged discrimination. A complainant may file a written request for an extension of time for filing a complaint of unlawful discrimination with the State Superintendent of Public Instruction. The District has 60 days from the date the complaint is received to investigate and render a decision.

### APPEALS

Any complainant(s) may appeal a District decision to the State Superintendent of Public Instruction by filing a written appeal with the Superintendent within 15 days of receiving the District decision. The complainant shall specify the reason(s) for appealing the District decision. The appeal shall include:

- A copy of the complaint; and
- A copy of the District decision.

### CIVIL LAW REMEDIES

Please be advised that you are not required to exhaust the District Uniform Complaint Procedure prior to pursuing civil law remedies in Superior Court. Statutory authority for such actions includes, but is not limited to, the following:

1. California Education Code Section 200, et. seq. prohibition of sex discrimination.
2. California Government Code Section 11135 prohibition of discrimination in programs funded by the State.
3. Title VI Civil Rights Act of 1964 (42 U.S.C. section 2000d) prohibition of race, color, or national origin discrimination.
4. Title IX Education Amendments of 1972 (20 U.S.C. sections 1681, et. seq.) prohibition of sex discrimination.
5. Sections 504, Rehabilitation Act of 1973 (29 U.S.C. section 794) prohibition of disabled persons.
6. American with Disabilities Act (42 U.S.C. sections 12101, et. seq.) prohibition of discrimination against disabled persons.

### DIRECT STATE INTERVENTION

A complaint may be filed directly with the California Department of Education, without first exhausting the District Uniform Complaint Procedure, if one or more of certain conditions exist (Title 5 California Code of Regulations Section 4650). For more

information regarding the right to direct state intervention, please contact Howie DeLane, Categorical Complaints Management Unit, California Department of Education, P. O. Box 944272, Sacramento, CA 94244-2720; telephone (916) 657-3630.

**QUESTIONS**

For more information regarding Uniform Complaint Procedures or assistance with the process, please call (909) 357-5000, ext. 7222, or contact: Fontana Unified School District, Human Resources, 9680 Citrus Avenue, P. O. Box 5090, Fontana, CA 92335-5090. Copies of the District’s complaint procedure are available free of charge by calling the above number, and the procedure is available on the internet at [www.FUSD.net](http://www.FUSD.net) [quicklinks].

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

Program	Contact	Telephone
<b>Adult Education</b>	Adult Education Office	(916) 322-2175
<b>Career/Technical Education</b>	Regional Occupational Centers and Programs and Workforce Development Centers	(916) 322-5050
<b>Child Development</b> , including: Alternative Payment      Protective Services CalWORKS Stages 2 & 3      Resource and Referral Exceptional Needs      School-Age (Latchkey) General      Severely Handicapped Family Child Care Homes      State Preschool Migrant	Child Development Office	(916) 322-6233
<b>Consolidated Categorical Aid</b> , including: Economic Impact Aid—State Compensatory Education (EIA/SCE) Economic Impact Aid—State Program for Students of Limited Proficiency (EIA/LEP) No Child Left Behind (Titles I–VI) (NCLB) School Improvement Tenth-Grade Counseling Tobacco-Use Prevention Education (TUPE) Peer Assistance and Review (PAR) School Safety and Violence Prevention Act	Categorical Programs Complaints Management Unit	(916) 319-0929
<b>Migrant and Indian Education</b>	Migrant, Indian, and International Office	(916) 319-0851
<b>Nutrition Services</b>	Nutrition Services Division	(916) 445-0850
<b>Special Education</b>	Procedural Safeguards Referral Services Unit	(800) 926-0648
Service	Contact	Telephone
<b>Facilities</b>	School Facility Planning Division	(916) 322-2470
<b>Office of Equal Opportunity</b> , including: Discrimination Harassment Civil Rights Guarantees	Office of Equal Opportunity	(916) 445-9174

For additional general information on uniform complaint procedures, contact the Categorical Programs Complaints Management Unit, California Department of Education, School and District Accountability Division, 1430 N Street, Sacramento, CA 95814-5901; telephone (916) 319-0929, or visit our Web site at <http://www.cde.ca.gov/re/cp/uc>.