



**Uniform Complaint Procedures
2019-2020 School Year
Board Approved 11/1/2019**

Crete Academy Charter School Dispute Resolution Procedures

The Board of Directors of Crete Academy have adopted policies and processes for airing and resolving internal and external disputes. Dispute resolution policies and procedures are printed in the Parent Student Handbook as well as Crete Academy Employee Handbook. The purpose of these policies and procedures is to have school community members resolve issues in-house in an amicable and fair manner whenever possible and to avoid contacting the Board of Education and the District unnecessarily. School community members include students, teachers, staff, parents, members of the Board of Directors, volunteers, partners, parties contracted for services, and collaborators. The grievance process is outlined as follows:

1. The parties involved will first discuss and attempt to resolve the issue before proceeding further.
2. If the conflict cannot be resolved with discussion, the parties involved will ask a peer to help resolve the dispute.
3. If peer conflict mediation does not resolve the situation, the parties involved will ask one of the following persons to serve as mediator, or, if mutually agreeable, as arbitrator:
 - a. Students ask a teacher or administrator
 - b. Teachers ask another teacher or an administrator
 - c. Administrative staff asks a teacher, another administrator, or the chair of the Board of Directors
 - d. Clerical or other staff ask an administrator
 - e. Parents ask another parent, the chair of the Parent Advisory Council, or the Executive Director
4. All Crete Academy faculty, staff, administrators, parents, and Board of Directors are made aware of this dispute process via the appropriate handbooks.

Crete Academy compliance officer is the school appointed person responsible to receive and direct the investigation of complaints, maintain records of complaints and subsequent related actions, and ensure school compliance with the law.

Crete Academy shall annually notify in writing its students, employees, parents and guardians, and other interested parties of these procedures and the person responsible for processing complaints.

UNIFORM COMPLAINT PROCEDURES (UCP)

The Governing Board recognizes that Crete Academy complies with all applicable state and federal laws and regulations governing educational programs. The Board shall investigate and seek to resolve complaints at the school level. The Board shall abide by the following uniform complaint procedures when addressing complaints alleging unlawful discrimination or failure to comply with the law in Adult Education, Career Technical Education, Child Development, Consolidated Programs, Indian Education, Migrant Education, Nutrition Services, Special Education and laws regarding unlawful discrimination on the basis of race, sex, sex orientation, race ethnic group orientation, color, ancestry, national origin, age, gender identity, religion, mental and physical disability. Complainants must be aware that matters listed under "Referring Complaint to Appropriate Agencies" are not issues covered by these procedures.

Compliance Officer

Crete Academy Academy's compliance officer will receive and direct the investigation of complaints, maintain records of complaints and subsequent related actions, and ensure Crete Academy Academy's compliance with the law. In the case where a complaint pertains to the Executive Director, the Board designates the Board President/Chair to receive and investigate the complaint.

Notifications

The Board shall annually notify in writing students, employees, parents and guardians, advisory committees, and other interested parties of these procedures and the person responsible for processing complaints. Complainants are hereby notified that they may have alternative civil law remedies via governmental administrative agencies, such as (federal) Office for Civil Rights, (state) Department of Fair Employment and Housing (DFEH), (federal) Equal Employment Opportunity Commission (EEOC), local bar associations, law schools, the Superintendent, or mediation services.

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Filing a Complaint

A written complaint of alleged noncompliance with a federal or state law or regulation governing education programs must be filed with the compliance officer of the school. When the subject matter of a complaint is not covered by this policy, the complainant shall be advised.

Individuals who allege that they personally suffered unlawful discrimination may file complaints alleging unlawful discrimination. The complaint must be filed no later than six (6) months from the date of the alleged discrimination or when the complainant first obtained knowledge of the facts of the alleged discrimination. For good cause, the State Superintendent of Public Instruction may grant an extension of up to ninety (90) days upon written request of the complainant. If a complainant is unable to put a complaint in writing due to conditions such as illiteracy or other handicaps, school personnel shall assist in filing the complaint. The Complaint Procedure Forms are available upon request.

Mediation of Complaint

At the discretion of the compliance designee and with the consent of the parties, the compliance designee may undertake a resolution of the dispute via mediation. This step is optional. If the complainant agrees to mediation, the compliance officer shall make arrangements for this process.

Before initiating the mediation of a discrimination complaint, the compliance officer shall ensure that all parties agree to make the mediator a party to related confidential information. If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with his/her investigation of the complaint.

The use of mediation shall not extend the Charter School's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time.

Investigation of Complaint

Upon receipt of the complaint, the compliance designee will give the complaint to the appropriate person who will hold investigative meetings, when necessary. Complainants and/or representatives and the school representatives may present relevant information. To ensure that all pertinent facts are made available, the compliance designee and the complainant may request other individuals to provide additional information. Complainants are protected by law from retaliation regarding participation in the complaint investigation process. Complainants are advised that while the school will make an effort to protect his/her privacy and confidentiality, investigation of his/her complaint may require disclosure of certain information to others. By filing a complaint, complainant authorizes the school to investigate and make disclosures as may be reasonably necessary to the investigation and resolution of the complaint.

A complainant's refusal to provide the Charter School's investigator with documents or other evidence related to the allegations in the complaint, or his/her failure or refusal to cooperate in the investigation or his/her engagement in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegation.

Written Decision

Within sixty (60) days of receiving the complaint, unless the complainant agrees in writing to an extension of time, the compliance designee shall prepare and send to the complainant a written report of the school's investigative findings, corrective action (if any) suggested resolution(s), and a rationale for the findings, along with any supporting documentation. This investigative report shall be written in English and in the language of the complainant whenever feasible or required by law.

Complaints Not Under the Jurisdiction of the District's Uniform Complaint Procedures Process

In accordance with Section 4611 of Title 5 of the California Code of Regulations the following complaints shall be referred to the specified agencies for appropriate resolution and are not subject to these complaint procedures: Allegations of suspected child abuse shall be referred to the Los Angeles County Department of Family Children Services (DCFS) or the appropriate city police department or Los Angeles County Sheriff's Department, as applicable.

Referring Complaint Issues to Appropriate Agencies

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The following complaints shall be referred to the specified agencies below for appropriate resolution and are not subject to these complaint procedures.

Allegations of child abuse:

Los Angeles County Department of Children and Family Services, 3075 West Wilshire Blvd., Los Angeles, CA. 90010 and/or Child Abuse Unit of the appropriate local law enforcement agency.

Health and Safety complaints regarding a child development program:

California State Department of Social Services, Community Care and Licensing, 6167 Bristol Parkway, Room 400, Culver City, CA 90230

Discrimination issues involving child nutrition programs:

U.S. Department of Agriculture, Food and Nutrition Service, Child Nutrition Division 3101 Park Center Drive, Alexandria, VA 22302

Employment discrimination complaints:

Department of Fair Employment and Housing (DFEH), 611 W. 6th Street, Los Angeles, CA 90017

Allegations of fraud:

Shall be referred to the responsible State or Federal Department Division Director and its legal office; California Department of Education, P.O. Box 944272, Sacramento, CA 94244-2720

Depending on the nature of the complaint, the complainant may also have available civil law remedies and may consult his/her attorney. Appeal and review procedures are available. See *Appeals to the California Department of Education*.

Appeals of Executive Director's Decision to Crete Academy Executive Board of Directors:

Persons or organizations disagreeing with Crete Academy's Executive Director/Principal's decision, have 15 days after receipt of the report of findings (decision) to file an appeal with Crete Academy Academy's Executive Board. The appeal must be in writing and include a copy of the original complaint, as well as a copy of the Executive Director's decision and specific reasons for appealing Crete Academy Academy's decision. The appeal should be sent to:

***Crete Academy Board President
Sergio Martus
6103 Crenshaw Blvd
Los Angeles, CA 90043***

Appeals to the California Department of Education

If a complainant is dissatisfied with the Board's decision, the complainant may appeal in writing to the California Department of Education within fifteen (15) days of receiving the Board's decision. The appeal must be in writing and must include a copy of the original complaint, as well as a copy of the local site decision provided to them. The appeal should be sent to:

**State of California Department of Education
State Superintendent of Public Instruction
P.O. Box 944272
Sacramento, CA 94244-2720**

Crete Academy Charter School
Uniform Complaint Procedures Form

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Sergio Martus
Crete Academy Middle School
6103 Crenshaw Blvd
Los Angeles, CA 90043

Crete Academy Charter School Dispute Resolution Procedures

Room for any additional comments?

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