



## **BOARD POLICY**

### **Uniform Complaint Policy**

#### **Overview**

In 2012, the Governor of California signed into law Assembly Bill 1575 (“AB 1575”), which amended certain provisions of the Education Code and Government Code. One of those amendments requires schools to publish an annual notice to students, parents, guardians, employees, and other interested parties regarding the requirements of AB 1575 (see Cal.Ed.Code section 49013(e)).

In compliance with Cal.Ed.Code section 49013(e), on an annual basis, Orange County Classical Academy (OCCA) provides this notice to all required parties.

#### **What types of complaints are investigated using the UCP?**

- Accommodations for Pregnant, and Parenting Pupils
- Adult Education Programs
- After School Education and Safety
- Agricultural Career Technical Education
- Career Technical and Technical Education and Training Programs
- Child Care and Development Programs
- Compensatory Education
- Consolidated Categorical Aid Programs
- Course Periods without Educational Content
- Complaints alleging unlawful discrimination, harassment, intimidation, or bullying against any protected group on the basis of the actual or perceived characteristics of age, ancestry, color, mental disability, physical disability, ethnic group identification, immigration status, citizenship, gender expression, gender identity, gender, genetic information, nationality, national origin, race or ethnicity, religion, medical condition, marital status, sex, or sexual orientation 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
- Educational of pupils in foster care, pupils who are homeless, pupils from military families and pupils former Juvenile Court
- Every Student Succeeds Act
- Local Control and Accountability Plans (LCAP)
- Migrant Child Education Programs
- Pupil Fees
- Reasonable Accommodations to a Lactating Pupil
- Regional Occupational Centers and Programs

- School Safety Plans and/or
- State Preschool

### **What issues are not covered by the UCP?**

Not all complaints fall under the scope of the UCP. Many concerns are the responsibility of the Charter School, including classroom assignments, grades, graduation requirements, hiring and evaluation of staff, homework policies and practices, provision of core curriculum subjects, student advancement and retention, student discipline, student records, the Brown Act, and other general education requirements. The Charter, however, may use its local complaint procedures to address complaints not covered by the UCP.

Only allegations within the subject matters falling within the UCP can be appealed to the CDE.

In addition, the following complaints are referred to other agencies for resolution and not subject to the UCP:

- Allegations of child abuse are referred to County Departments of Social Services, Protective Services Divisions, or appropriate law enforcement agency.
- Health and safety complaints regarding licensed facilities operating a Child Development Program are referred to the Department of Social Services.
- Employment complaints are sent to the California Department of Fair Employment and Housing.

### **Prohibited Fees**

OCCA shall not ask parents to pay fees such as:

- A fee charged to a student 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;
- A security deposit, or other payment, that a student is required to make to obtain a lock, locker, book, class apparatus, musical instrument, uniform, or other materials or equipment;
- A purchase that a student is required to make to obtain materials, supplies, equipment, or uniforms associated with an educational activity.

Nor does OCCA ask parents for fees in relation to participation in an educational activity, as follows:

- All supplies, materials, and equipment needed to participate in educational activities shall be provided to students free of charge;
- A fee waiver policy shall not make a student fee permissible;
- OCCA shall not establish a two-tier educational system by requiring a minimal educational

standard and also offering a second, higher educational standard that students may only obtain through payment of a fee or purchase of additional supplies that OCCA does not provide; and

- OCCA shall not offer course credit or privileges related to educational activities in exchange for money or donations of goods or services from a student or a student's parents or guardians, and a school district or school shall not remove course credit or privileges related to educational activities, or otherwise discriminate against a student, because the student or the student's parents or guardians did not or will not provide money or donations of goods or services to OCCA

### **Permissible Fees**

OCCA may require parents and guardians to pay fees specifically authorized by statute such as:

- Fees related to field trips pursuant to Education Code section 35330;
- Fees for the direct costs of projects that students fabricate and take home as their own property in certain classes pursuant to Education Code section 17551;
- Fees for transporting students to and from school pursuant to Education Code section 39807.5; or
- Fees for lost or damaged school property under Education Code pursuant to 48904

### **Fundraising**

OCCA will continue its ongoing revenue raising efforts through established fundraising entities/procedures to assist with school activities and opportunities available to students and their families. OCCA receives voluntary donations and scholars and parents may voluntarily participate in fundraising activities. OCCA also may occasionally offer prizes to students for recognition of their fundraising efforts.

### **Uniform Complaint Procedure - Generally**

Complaints falling under the jurisdiction of the UCP shall be investigated pursuant to the procedures described in 5 C.C.R. 4600 *et. seq.*

### **Compliance Officer**

The Board of Directors designates the following compliance officer(s) to receive and investigate complaints and to ensure OCCA's compliance with law:

Semi Park  
Headmaster/Executive Director  
4100 E Walnut ave Orange CA 92869  
657-223-9420 Ext 1103

Complaint forms with instructions for submitting a complaint are available at the Administrative Offices of OCCA upon request during normal business hours. Any written and signed statement (which may include an email with a digital signature) alleging violations that

fall under the UCP that is filed pursuant to the UCP within the required timeframes constitutes a UCP complaint.

Within sixty (60) calendar days from the date the Headmaster receives the complaint, OCCA will investigate and send the complainant a written response. The response will include the facts (based on evidence gathered during the investigation), the legal conclusion reached by OCCA, the reasoning for the decision, corrective actions taken, if any, and information about how to appeal. Please note that complainant will not receive a written report if complainant filed the complaint anonymously.

Within thirty (30) days of receiving the decision, the complainant may send a written appeal to the California Department of Education (CDE). CDE decisions regarding appeals are required to be issued within sixty (60) days of the CDE receiving the appeal.

### **Uniform Complaint Procedure - Pupil Fees**

Education Code Section 49013 allows parents and guardians and others to submit a complaint to OCCA that an illegal fee is being charged by OCCA. Complaints must be filed no later than one year from the date the alleged violation occurred. If OCCA finds the complaint has merit, or if the California Department of Education makes such a finding on appeal, OCCA shall provide a remedy to all affected students, parents, and guardians that, where applicable, includes reasonable efforts by OCCA to ensure full reimbursement to all affected students, parents, and guardians, subject to procedures established through regulations adopted by the state board.

Those believing they have been charged an illegal fee or have been required to purchase materials that should have been provided by OCCA may file a complaint with the Headmaster of OCCA.

If a complaint is filed anonymously, but OCCA will not be able to contact the complainant to ask follow-up questions or to request additional information, so complainants must be certain complaints contain all of the information necessary to prove that OCCA charged an illegal fee.

Adopted: October 13, 2022