



### **Uniform Complaint Policy and Procedures**

Los Feliz Charter School for the Arts' policy is to comply with applicable federal and state laws and regulations. LFCSA is the local agency primarily responsible for compliance with federal and state laws and regulations governing educational programs. Pursuant to this policy, persons responsible for conducting investigations shall be knowledgeable about the laws and programs that they are assigned to investigate. This complaint procedure is adopted to provide a uniform system of complaint processing for the following types of complaints:

- (1) Complaints of discrimination against any protected group, including actual or perceived discrimination, on the basis of age, sex, sexual orientation, gender, gender identity, gender expression, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability, 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 Charter School program or activity; and
- (2) Complaints of violations of state or federal law and regulations governing the following programs including but not limited to: special education, Title II of the ADA, Section 504 of the Rehabilitation Act, consolidated categorical aid, No Child Left Behind, migrant education, career technical and technical education training programs, child care and development programs, child nutrition program.
- (3) A complaint may also be filed alleging that a pupil enrolled in a public school was required to pay a pupil fee for participation in an educational activity as those terms are defined below.
  - a. "Educational activity" means an activity offered by a school, school district, charter school or county office of education that constitutes an integral fundamental part of elementary and secondary education, including, but not limited to, curricular and extracurricular activities.
  - b. "Pupil fee" means a fee, deposit or other charge imposed on pupils, or a pupil's parents or guardians, in violation of Section 49011 and Section 5 of Article IX of the California Constitution, which require educational activities to be provided free of charge to all pupils without regard to their families' ability or willingness to pay fees or request special waivers, as provided for in *Hartzell v. Connell* (1984) 35 Cal.3d 899. A pupil fee includes, but is not limited to, all of the following:
    - i) 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.
    - ii) A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, uniform or other materials or equipment.
    - iii) A purchase that a pupil is required to make to obtain materials, supplies, equipment or uniforms associated with an educational activity.
  - c. Nothing in this section shall be interpreted to prohibit solicitation of voluntary donations of funds or property, voluntary participation in fundraising activities, or school districts, school, and other entities from providing pupils prizes or other recognition for voluntarily participating in fundraising activities.
- (4) Complaints of noncompliance with the requirements governing the Local Control Funding Formula or Sections 47606.5 and 47607.3 of the Education Code, as applicable.

The Charter School acknowledges and respects every individual's rights to privacy. Discrimination complaints shall be investigated in a manner that protects [to the greatest extent reasonably possible] the confidentiality of the parties and the integrity of the process. The Charter School cannot guarantee anonymity of the complainant. This includes keeping the identity of the complainant confidential. However, the Charter School will attempt to do so as appropriate. The Charter School may find it necessary to disclose information regarding the complaint/complainant to the extent necessary to carry out the investigation or proceedings, as determined by the Director of Student Support Services or designee on a case-by-case basis.

The Charter School prohibits any form of retaliation against any complainant in the complaint process, including but not limited to a complainant's filing of a complaint or the reporting of instances of discrimination. Such participation shall not in any way affect the status, grades or work assignments of the complainant.

#### Compliance Officers

The Governing Board designates the following compliance officer(s) to receive and investigate complaints and to ensure the Charter School's compliance with law:

Director of Student Support Services, Los Feliz Charter School for the Arts  
2709 MEDIA CENTER DR.  
LOS ANGELES, CA 90065  
(323) 539-2810

In the event that the Director of Student Support Services is named in the complaint, the complaint may be directed instead to the Executive Director.

The Executive Director or designee shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. Designated employees may have access to legal counsel as determined by the Co-Principal or designee.

#### Notifications

The Executive Director or designee will inform the LFCSA board of all complaints at LFCSA monthly board meetings, maintaining confidentiality when required by State and federal law. The Executive Director or designee shall annually provide written notification of the Charter School's uniform complaint procedures to students, employees, parents/guardians, the Governing Board, appropriate private officials or representatives, and other interested parties. The Principal or designee shall make available copies of the Charter School's uniform complaint procedures free of charge.

The annual notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints.
2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal discrimination laws, if applicable.
3. Advise the complainant of the appeal process pursuant to Education Code Section 262.3, including the complainant's right to take the complaint directly to the California Department of Education ("CDE") or to pursue remedies before civil courts or other public agencies.
4. Include statements that:
  - a. The Charter School is primarily responsible for compliance with state and federal laws and regulations;
  - b. The complaint review shall be completed within sixty (60) calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline;
  - c. An unlawful discrimination complaint must be filed not later than six (6) months from the date the alleged discrimination occurs, or six (6) months from the date the complainant first obtains knowledge of the facts of the alleged discrimination;
  - d. The complainant has a right to appeal the Charter School's decision to the CDE by filing a written appeal within fifteen (15) days of receiving the Charter School's decision; and

- e. The appeal to the CDE must include a copy of the complaint filed with the Charter School and a copy of the Charter School's decision.

#### Procedures

The following procedures shall be used to address all complaints that allege that the Charter School has violated federal or state laws or regulations governing educational programs. Compliance officers shall maintain a record of each complaint and subsequent related actions.

All parties involved in allegations shall be notified when a complaint is filed, when a complaint meeting or mediation is scheduled, and when a decision or ruling is made.

- Step 1: Filing of Complaint

Any individual, public agency, or organization may file a written complaint of alleged noncompliance by the Charter School. A complaint alleging unlawful discrimination shall be initiated no later than six (6) months from the date when the alleged discrimination occurred, or six (6) months from the date when the complainant first obtained knowledge of the facts of the alleged discrimination. A complaint may be filed by a person who alleges that he/she personally suffered unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination. The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and date stamp.

If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, Charter School staff shall assist him/her in the filing of the complaint.

- Step 2: Mediation

Within three (3) days of receiving the complaint, the compliance officer may informally discuss with the complainant the possibility of using mediation. 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.

- Step 3: Investigation of Complaint

The compliance officer is encouraged to hold an investigative meeting with the complainant within five (5) days of receiving the complaint or an unsuccessful attempt to mediate the complaint. This meeting shall provide an opportunity for the complainant and/or his/her representative to repeat the complaint orally. The complainant and/or his/her representative shall have an opportunity to present the complaint and evidence or information leading to evidence to support the allegations in the complaint. A complainant's refusal to provide the Charter School's investigator with documents or other evidence that is available to the complainant 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.

The Charter School's refusal to provide the investigator with access to records and/or other information related to the allegation in the complaint, or its failure or refusal to cooperate in the investigation or its engagement in any other 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.

The Charter School will adhere to the following guidelines during the investigative process:

1. Investigations must be thorough and reliable. They should include interviews of relevant witnesses who may have knowledge of the alleged discrimination. They should include gathering and review of relevant information including any emails, text messages, drawings, social network postings, and documents.
2. Records must be maintained documenting the processing and resolution of discrimination complaints, including documentation of witness interviews.
3. As required by the Uniform Complaint Procedures, the complainant must be provided with written notice of the outcome of the complaint including a statement of all the issues raised, the findings made on each issue and the rationale for each, the corrective actions for each issue, if any, and notice of the right to appeal; and

- Step 4: Response/Final Written Decision

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant a written report of the Charter School's investigation and decision, as described in Step #5 below, within sixty (60) days of the Charter School's receipt of the complaint.

The Charter School's decision shall be in writing and sent to the complainant. The Charter School's determination will be made using appropriate legal standards [No 7]. Charter School's decision shall be written in English and in the language of the complainant whenever feasible or as required by law.

The decision shall include:

1. The findings of fact based on evidence gathered.
2. The conclusion(s) of law for each allegation or issue.
3. Disposition of the complaint.
4. Rationale for such disposition.
5. Corrective actions, if any are warranted.
6. Notice of the complainant's right to appeal the Charter School's decision within fifteen (15) days to the CDE and procedures to be followed for initiating such an appeal.
7. For discrimination complaints arising under state law, notice that the complainant must wait until sixty (60) days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies.
8. For discrimination complaints arising under federal law such complaint may be made at any time to the U.S. Department of Education, Office for Civil Rights, as follows:

(By U.S. mail): Office for Civil Rights, U.S. Department of Education  
50 Beale Street, Suite 7200  
San Francisco, CA 94105

(By e-mail): [ocr.sanfrancisco@ed.gov](mailto:ocr.sanfrancisco@ed.gov)

(online complaint form): <https://ocrcas.ed.gov/>

If an employee is disciplined as a result of the complaint, the decision shall simply state that effective action was taken and that the employee was informed of the Charter School's expectations. The report shall not give any further information as to the nature of the disciplinary action.

#### Appeals to the California Department of Education

If dissatisfied with the Charter School's decision, the complainant may appeal in writing to the CDE within fifteen (15) days of receiving the Charter School's decision. When appealing to the CDE, the complainant must specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the Charter School's decision.

Upon notification by the CDE that the complainant has appealed the Charter School's decision, the Co-Principal or designee shall forward the following documents to the CDE:

1. A copy of the original complaint.
2. A copy of the decision.
3. A summary of the nature and extent of the investigation conducted by the Charter School, if not covered by the decision.
4. A copy of the investigation file, including but not limited to all notes, interviews, and documents submitted by all parties and gathered by the investigator.
5. A report of any action taken to resolve the complaint.
6. A copy of the Charter School's complaint procedures.
7. Other relevant information requested by the CDE.

The CDE may directly intervene in the complaint without waiting for action by the Charter School when one of the conditions listed in Title 5, California Code of Regulations, Section 4650 exists, including cases in which the Charter School has not taken action within sixty (60) days of the date the complaint was filed with the Charter School.

#### Civil Law Remedies

A complainant may pursue available civil law remedies outside of the Charter School's complaint procedures. 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. For discrimination complaints arising under state law, however, a complainant must wait until sixty (60) days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies. The moratorium does not apply to injunctive relief and is applicable only if the Charter School has appropriately, and in a timely manner, apprised the complainant of his/her right to file a complaint in accordance with 5 CCR 4622.

### **Stakeholder Complaint Process**

The purpose of the "Stakeholder Complaint Process" is to afford all students, families, and other stakeholders at the School the opportunity to seek resolution of their school-related concerns. All stakeholders have free access to the Executive Director, Co-Principals or Board of Directors to express their school-related concerns.

If reasonably possible, stakeholder complaints should be resolved at the lowest possible level, including attempts to discuss/resolve concerns with the teacher first. However, in the event an informal resolution may not be achieved or is not appropriate, please refer to the following "Communication Norms and Flowchart" for guidance.

The following school-related purviews is provided for further clarification on who a stakeholder should seek resolution from for school-related concerns should first attempt(s) to resolve directly with the teacher be unachieved or inappropriate:

Elementary grades (TK-5) – Dr. Linda Lee, Co-Principal

Middle grades (6-8) – Kevin Kassebaum, Co-Principal

CAP - Jenina Castro, C.A.P. Program Coordinator

Student support (\*see below) - Nick Zanoria, Director of Student Support Services

*\*Includes: Special Education, Social and Emotional Learning, Student behavior*

*and academic interventions, Homeless and foster-care youth, and the Gifted and Talented program*

Administration & Operations – Varina Bleil, Executive Director

Facilities – Kevin Kassebaum, Co-Principal

Safety – Andreas Wenger, Specialist- Physical Education

If the complaint concerns the Executive Director, contact the Board of Directors in writing as soon as possible after the event(s) that give rise to the stakeholder’s concerns. The written complaint should set forth in detail the factual basis for the complaint and be emailed to: board@losfelizarts.org.

In processing the complaint, the LFCSA staff or Board of Directors (designee) shall abide by the following process:

1. The LFCSA designee shall use his or her best efforts to talk with the parties identified in the complaint and to ascertain the facts relating to the complaint.
2. In the event that the LFCSA designee finds that a complaint against an employee is valid, the Executive Director OR Co-Principal may take appropriate disciplinary action against the LFCSA employee. As appropriate, the Executive Director and/or Co-Principal (or designee) may also simply counsel/reprimand employees as to their conduct without initiating formal disciplinary measures.
3. The Co-Principal’s decision may be appealed to the Executive Director. Executive Director’s decision relating to the complaint shall be final unless it is appealed to the Board of Directors of the School. The decision of the Board of Directors shall be final.

**General Requirements**

1. Confidentiality: All complainants will be notified that information obtained from the complainants and thereafter gathered will be maintained in a manner as confidential as possible, but in some circumstances absolute confidentiality cannot be assured.
2. Non-Retaliation: All complainants will be advised that they will be protected against retaliation as a result of the filing of any complaints or participation in any complaint process.
3. Resolution: The Board (if a complaint is about the Executive Director) or the Executive Director and/or Co-Principal or designee will investigate complaints appropriately under the circumstances and pursuant to the applicable procedures, and if necessary, take appropriate remedial measures to ensure effective resolution of any complaint.

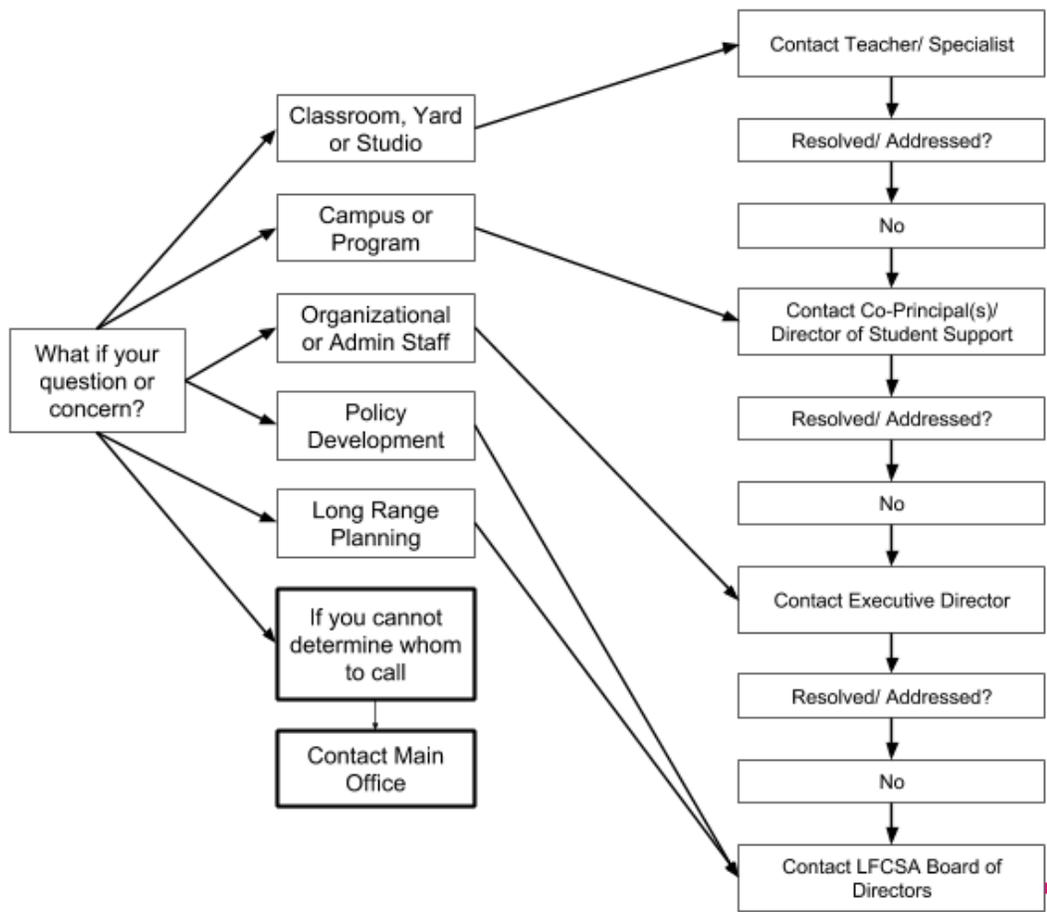
This “Stakeholder Complaint Process” cannot guarantee that every problem will be resolved to the stakeholder’s satisfaction. However, the school values each stakeholder’s ability to express concerns and the need for resolution without fear of adverse consequence to stakeholder.

**Communications Norms and Flowchart**

This serves as a general guide for ensuring effective communication for all members of our community. Communication refers to both the sending and receiving of information in all forms.

Norms of Communication	Steps	Confidentiality
<p>We assume the positive - we are all here to support the needs to the children and model for them respectful tones and mindfulness.</p> <p>We may disagree, and need to respectfully hear each other to better understand points of view.</p> <p>We work collaboratively to resolve concerns.</p>	<p>If a child’s safety or school-wide safety is a concern, please contact the front office or a staff member immediately.</p> <p>Administration works diligently to ensure the safety of all students.</p> <p>If you have an issue with a</p>	<p>With respect to family privacy, we adhere to strict confidentiality laws.</p> <p>This may feel as if information is limited. Please know that we share what we are able to.</p> <p>(i.e. We will not share information</p>

<p>We show compassion when someone is upset.</p> <p>We will work to respond within 48 hours to a call or email.</p>	<p>particular staff member, first try to address those concerns with the staff member directly.</p>	<p>about your child with other families.)</p>
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2. Have you discussed your complaint or brought your complaint to any Charter School personnel? If you have, to whom did you take the complaint, and what was the result?

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3. Please provide copies of any written documents that may be relevant or supportive of your complaint.

I have attached supporting documents.                      Yes                      No

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Mail or hand deliver complaint and any relevant documents to:

Director of Student Support Services, Los Feliz Charter School for the Arts  
2709 MEDIA CENTER DR.  
LOS ANGELES, CA 90065  
(323) 539-2810