



Uniform Complaint Procedures (UCP) Policies and Procedures

_____ 2025

Redwood City School District
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650-482-2200
<https://www.rcsdk8.net/>

Adopted by our Governing Board or authorized designee (here and after “the board”) on

What is a UCP complaint?

A complaint under the Uniform Complaint Procedures (UCP) is a written and signed statement alleging a violation of federal or state laws governing certain educational programs.

The UCP covers alleged violations by local educational agencies (Redwood City School District) and local public or private agencies which receive direct or indirect funding from the State to provide specific school programs, activities, or related services.

What programs and activities are subject to the UCP?

- Accommodations for Pregnant and Parenting Pupils
- Adult Education
- After School Education and Safety
- Agricultural Career Technical Education
- Career Technical and Technical Education and Career Technical and Technical Training Programs
- Child Care and Development Programs
- Compensatory Education
- Consolidated Categorical Aid Programs
- Course Periods without Educational Content
- Discrimination, harassment, intimidation, or bullying against any protected group as identified under California Education Code (EC) sections 200 and 220 and Government Code Section 11135, including any actual or perceived characteristic as set forth in Penal Code Section 422.55, 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 conducted by an educational institution, as defined in EC Section 210.3, that is funded directly by, or that receives or benefits from, any state financial assistance.

- Educational and graduation requirements for pupils in foster care, pupils who are homeless, pupils from military families, pupils formerly in Juvenile Court now enrolled in a school district, pupils who are migratory, and pupils participating in a newcomer program.
- Every Student Succeeds Act (ESSA)
- Instructional Materials and Curriculum: Diversity
- 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
- Schoolsite Councils
- State Preschool
- State Preschool Health and Safety Issues in Redwood City School District's Exempt from Licensing
- And any other state or federal educational program the State Superintendent of Public Instruction (SSPI) or designee deems appropriate.

What issues are not covered by the UCP?

Not all complaints fall under the scope of the UCP. Many concerns are the responsibility of RCSD, including classroom assignments, common core, grades, graduation requirements, hiring and evaluation of staff, homework policies and practices, student advancement and retention, student discipline, student records, the Bagley-Keene Open Meeting Act, the Brown Act, and other general education requirements. Redwood City School District, however, may use its local complaint procedures to address complaints not covered by the UCP.

Only allegations within the subject matter falling within the UCP can be appealed to the California Department of Education (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 Civil Rights Department.
- Allegations of a violation of a state or federal law or regulation related to special education, a settlement agreement related to the provision of a free appropriate public education, or a due process hearing order (FAPE), failure or refusal to implement a due process hearing order to which the district is subject, or a

physical safety concern that interferes with the district's provision of FAPE shall be submitted to the California Department of Education (CDE).

- Allegations of noncompliance of the district's food service program with laws regarding meal counting and claiming, reimbursable meals, eligibility of children or adults, or use of cafeteria funds and allowable expenses shall be filed with or referred to California Department of Education (CDE).

How do I file a UCP complaint and how is it processed?

The Redwood City School District's UCP complaint policies and procedures provide the information needed to file a local complaint. Redwood City School District must annually notify its students, employees, parents/guardians, school and district advisory committees, appropriate private school officials and other interested parties of Redwood City School District's UCP complaint policies and procedures, and the opportunity to appeal Redwood City School District's Investigation Report to the CDE. Redwood City School District must provide their complaint policies and procedures free of charge.

What are the responsibilities of the complainant?

- Receives and reviews the UCP complaint policies and procedures from the Redwood City School District.
- Files a written complaint by following the steps described in Redwood City School District's UCP complaint procedures.
 1. The signature on a complaint may be handwritten, typed (including in an email) or electronically-generated.
 2. A complaint filed on behalf of an individual student may only be filed by that student or that student's duly authorized representative.
 3. All complaints must be filed within one year from the date of the alleged violation. For Local Control and Accountability Plan (LCAP) complaints, the date of the alleged violation is the date when the reviewing authority approves the LCAP or annual update that was adopted by Redwood City School District.
- Cooperates in the investigation and provides Redwood City School District's investigator with information and other evidence related to the allegations in the complaint.
- May file a written appeal to the CDE within 30 calendar days of receiving Redwood City School District's decision if they believe Redwood City School District's decision is incorrect.
- Must specify the basis for the appeal and whether Redwood City School District's facts are incorrect and/or the law is misapplied. The appeal packet must contain a copy of the original complaint to Redwood City School District and a copy of Redwood City School District's decision.

- Where applicable, within 30 calendar days of receiving the CDE’s decision or report, may submit a request for reconsideration by the Superintendent of Public Instruction at the CDE or their designee. The request for reconsideration must specify and explain the reason(s) for contesting the findings of fact, conclusions of law, or corrective actions in the appeal Decision.
- When filing an appeal with the CDE, must specify and explain the basis for the appeal, including at least one of the following:
 1. Redwood City School District failed to follow its complaint procedures, and/or;
 2. Relative to the allegations of the complaint, Redwood City School District’s Investigation Report lacks material findings of fact necessary to reach a conclusion of law, and/or;
 3. The material findings of fact in Redwood City School District’s Investigation Report are not supported by substantial evidence, and/or;
 4. The legal conclusion in Redwood City School District’s Investigation Report is inconsistent with the law, and/or;
 5. In a case in which Redwood City School District found noncompliance, the corrective actions failed to provide a proper remedy.

What are the responsibilities of the Redwood City School District?

- Ensures compliance with applicable federal and state laws and regulations.
- Adopts UCP complaint policies and procedures consistent with the California Code of Regulations, Title 5 sections 4600–4694.
- Designates a staff member to be responsible for receiving, investigating and resolving complaints and makes sure the staff member is knowledgeable about the laws/programs they are assigned.
- Must give the filing party an opportunity to present information and/or evidence relevant to the complaint.
- Protects complainants from retaliation.
- Resolves the complaint and completes a written report within 60 calendar days of receipt of the complaint unless extended by written agreement of the complainant.
- Must advise the complainant of the right to appeal the Redwood City School District’s Investigation Report to the CDE within 30 calendar days of receiving the report.
- If Redwood City School District finds merit in a complaint, it must impose corrective actions for, including, but not limited to, complaints involving pupil fees, courses of study, instructional minutes for physical education and LCAP, and must include a remedy to all affected pupils, parents and guardians.
- Redwood City School District shall provide the investigative file to the CDE within 10 days of notification of an appeal. Redwood City School District’s failure to provide a timely and complete response may result in the CDE ruling on the appeal without considering information from Redwood City School District.

What are the responsibilities of the CDE?

The UCP authorizes the CDE to process appeals of Redwood City School District's Investigation Report on UCP complaints; or, in certain specified situations, to intervene directly and investigate the allegations in the complaint. The CDE:

- Reviews, monitors, and provides technical assistance to Redwood City School District regarding the adoption of UCP complaint policies and procedures by Redwood City School District's governing board.
- Refers a complaint to Redwood City School District for resolution when appropriate.
- Considers a variety of alternatives to resolve a complaint or appeal when:
 - The complainant alleges and the CDE verifies that, through no fault of the complainant, Redwood City School District failed to act within 60 calendar days of receiving the complaint.
 - The complainant appeals Redwood City School District's decision if they believe the decision is factually and/or legally incorrect.
 - When requested by the complainant, the CDE determines when direct intervention is applicable.
- Requires corrective action by Redwood City School District if noncompliance issues are identified during the investigation.
- Provides monitoring and technical assistance to Redwood City School District to ensure resolution of findings of noncompliance.
- Where applicable, notifies the parties of the right to request reconsideration of the CDE's decision/report by the Superintendent of Public Instruction at the CDE within 30 calendar days of the receipt of the decision/report.
- For those programs governed by part 76 of Title 34 of the Code of Federal Regulations, notifies the parties of the right to appeal to the United States Secretary of Education.
- If the CDE finds merit in an appeal, it must issue corrective actions for, including, but not limited to, complaints involving pupil fees, courses of study, instructional minutes for physical education and local control and accountability plans, and must include a remedy to all affected pupils, parents, and guardians.
- The CDE must issue an appeal Decision within 60 days, unless extended by written agreement with the Appellant, or the CDE documents exceptional circumstances and informs the Appellant, or the CDE receives notice that the matter has been resolved at the local level, or the CDE receives notice that the matter has been judicially decided.
- The CDE may at its discretion directly intervene without waiting for Redwood City School District investigation in certain enumerated situations.
- The CDE must directly intervene if the complaint alleges that an agency that is not Redwood City School District violated laws relating to a Child Care and Development program.
- When the CDE directly intervenes, the CDE must issue a Department Investigation Report within 60 days, unless the parties have agreed to extend the timeline or the CDE documents exceptional circumstances and informs the complainant, or the matter has been resolved at the local level or judicially decided.
- When the CDE declines direct intervention in an anonymous complaint, the CDE will not forward the complaint to Redwood City School District without the complainant's permission.

- Within 30 days of the date of the CDE’s appeal Decision, either party may request reconsideration. Within 30 days of the date of the CDE’s Investigation Report, either party may request reconsideration.
- On reconsideration, the CDE will not consider new information unless it was unknown during the investigation and could not have become known with due diligence.
- The CDE must act on the reconsideration request within 60 days. During the reconsideration period, the CDE Investigation Report remains in effect and enforceable, unless stayed by a court.

Williams Complaints

A Williams complaint concerns alleged deficiencies related to instructional materials, emergency or urgent facilities conditions that pose a threat to the health and safety of pupils or staff, and teacher vacancy or misassignment. They may be filed anonymously. Redwood City School District must have a complaint form available for these types of complaints, but will not reject a complaint if the form is not used as long as the complaint is submitted in writing. Under applicable regulations, a notice must be posted in each classroom in each school notifying parents and guardians of the matters subject to a Williams complaint and where to obtain a form to file a complaint.

A Williams complaint must be resolved by the school principal or by the district superintendent or his or her designee. A complainant who is not satisfied with the resolution has the right to describe the complaint to the governing board of the school district at a regularly scheduled meeting of the board. Except for complaints involving a condition of a facility that poses an emergency or urgent threat, there is no right of appeal to the CDE.

In the case of complaints concerning a condition of a facility that poses an emergency or urgent threat, a complainant who is not satisfied with the resolution has the right to file an appeal to the Superintendent of Public Instruction at the CDE within 15 calendar days of receiving Redwood City School District’s decision.

For further information on Williams facility complaints and appeals please visit the CDE Williams Facilities Complaints and Appeals web page at <https://www.cde.ca.gov/ls/fa/sf/williamsappeal.asp>.

State Preschool Health and Safety Issues in Redwood City School District’s Exempt from Licensing

A complaint regarding State Preschool Health and Safety issues incorporate emergency and/or urgent facilities conditions that pose a threat to the health and safety of students. They may be filed anonymously. Redwood City School District must have a complaint form available for these types of complaints, but will not reject a complaint if the form is not used as long as the complaint is submitted in writing. Under applicable regulations, a notice must be posted in each state preschool classroom notifying parents and guardians of the matters subject to these complaints and where to obtain a form to file a complaint.

A state preschool health and safety complaint must be resolved by the school principal or by the district superintendent or his or her designee. A complainant who is not satisfied with the

resolution has the right to describe the complaint to the governing board of the school district at a regularly scheduled meeting of the board. A complainant who is not satisfied with the resolution proffered by the preschool program administrator or the designee of the district superintendent has the right to file an appeal to the State Superintendent of Public Instruction.

Additional Information

For additional information, contact the appropriate office listed on the Contact Information for Various Programs and Services Subject to the Uniform Complaint Procedures, or visit the CDE Uniform Complaint Procedures Contacts web page at <https://www.cde.ca.gov/re/cp/uc/ucpcontacts.asp>.

Board Approved
